# The COMMUNIST

## APRIL

## THE PEOPLE VS. THE SUPREME COURT

HATHAWAY . . . PURCELL . . . LAWSON


Significance of the Sit-Down Strike — WILLIAM Z. FOSTER

The Pacific Coast Maritime Strike — WILLIAM SCHNEIDERMAN

The Military Dictatorship in Cuba — P. FAVIO

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# The COMMUNIST

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## CONTENTS


| | | |
|---|---|---|
| Review of the Month | A. B. | 291 |
| The People vs. the Supreme Court | C. A. HATHAWAY | 306 |
| The Supreme Court and Civil Liberties | OBED PURCELL | 313 |
| The Supreme Court "Citadel of Slavery" | ELIZABETH LAWSON | 322 |
| The Significance of the Sit-Down Strike | WILLIAM Z. FOSTER | 334 |
| The Pacific Coast Maritime Strike | WILLIAM SCHNEIDERMAN | 342 |
| The Military Dictatorship in Cuba | P. FAVIO | 358 |
| The Commonwealth Federation Moves On | MORRIS RAPORT | 366 |
| The People's Front in the Philippines | JUAN TAMARAO | 374 |
| Book Reviews | JAMES W. FORD | 381 |


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# REVIEW OF THE MONTH

*Advances of C.I.O. Green Splits While Progressives Unite. United Front and Trade Union Unity. Reaction Stages a Comeback. Consequences of Insufficient Labor Independence in 1936. Battles for Congressional Elections of 1938. Declaration of Labor's Non-Partisan League. Immediate Purposes and Class Significance. League Approaches Labor's Allies. Overlooks Negro People. Organizing Leagues in Every County. Needed, Two Guiding Lines. Democratic Organization and Independent Political Line. Build Local Parties. Roosevelt Leadership or Alliance. The Victory Speech. Housing, Relief and Foreign Policy. Land for the Landless Farmers. Partial Demands and the Revolutionary Solution. A Land Policy for Toiling Farmers. Capitalist Cooperatives and Socialist Agriculture. For a United Front May Day of Celebration and Mobilization.*

GREEN and Frey are at it again. Defeated in their reactionary efforts to block the organization of the unorganized, in despair over the fine working class solidarity between the membership of both the A. F. of L. and C.I.O. unions, Green and Frey have ordered "a purge" of the A. F. of L. city and state central bodies. The reactionaries are thus attempting to carry the split a step further.

In glaring contrast to the splitting and strike-breaking activities of the reactionaries, the unions of the C.I.O. and the progressive forces of the A. F. of L. unions are driving forward with unparalleled sweep and energy to organize the unorganized, to establish collective bargaining in the industries, winning higher wages, shorter hours and a general improvement in the conditions of labor.

Every worker knows that this is the time to organize—to organize *in all industries,* to strengthen all genuine unions of the workers; that this is the time for a united effort *of all working class forces* to raise the standing of labor on both the economic and political fields. Yes, every worker knows that. But to Green and Frey this is the occasion for attempting further splits, for flirting with the remnants of company unionism in steel, for more desperate attempts to block labor's forward march.

Within an unbelievably short space of time, industrial unionism under the C.I.O. has made astounding progress in the auto, steel, rubber and electrical industries. The membership of the C.I.O. unions has grown from a million to about two million. The victories in the auto and especially in the steel industry are of historic significance. The



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C.I.O. statement (March 8) is therefore fully right in saying:

"The whole battle has not been won yet, it is true. But it has begun under such favorable auspices and with such a series of successes in the most strategic industries as to make ultimate victory—strong unions in all the great industries—seem inevitable."

To bring about this ultimate victory, the C.I.O. mapped out a course of further organization including such important mass production industries as textile and oil. It perfected its machinery to carry out these new tasks: setting up organizing committees, providing funds and people. And this is what the workers demand, the workers with the splendid fighting spirit of the sit-downers. This is what the workers need.

As the Communists have foretold, progress in the organization of the mass production industries has imparted great impetus for organization and betterment of conditions in all industries. And the progressive forces in the unions of the A. F. of L., such as in machine-making and shoes, are utilizing these favorable auspices to build their unions, improve the conditions of the workers, *collaborating with C.I.O. forces for mutual advantage.* This is what honest workers and trade unionists will do, but not Green and Frey. Hence Green's "purging" order of March 5, supplemented by the one of March 12. In the letter Green says:

"We can't permit any individual or central body to be in the American Federation of Labor if it is secretly subordinate to the Committee for Industrial Organization. Our unions are empowered to clean their ranks and I have ordered them to do so."

The progressives are building while the reactionaries are trying to destroy. But they will not succeed, not with the present mood of the workers. Green's talk about "secret subordination" to the C.I.O. is nonsense. What he has in mind but is afraid to call by the right name is the demonstrated opposition of the bulk of the A. F. of L. membership to his splitting and reactionary policies. What he and Frey (and Woll) are especially worried by is the quite open determination of many A. F. of L. unions and central bodies *to collaborate* with the forces of the C.I.O. in common organizing drives for the benefit of all. It is this collaboration, this workers' *united front* that Green and Frey hope to check by their purging order. We must help to defeat this effort of the reactionaries.

It goes without saying that the progressives and all honest trade unionists in the A. F. of L. will continue to fight with all resources at their command against the purging orders of Green and Frey. They will vote down and condemn this splitting order in their unions and central bodies. They will make sure that they are represented in the central bodies by such delegates as will champion unity and collaboration with the C.I.O. instead of widening the split.

And something else needs to be added: *intimate collaboration, united front, between the unions and central bodies of the A. F. of L. with those of the C.I.O. for common organizing work and other activities in the interests of labor.* It will be found that, in practice, the question of "jurisdiction" presents no insuperable obstacles when approached from a working class point of view and with a sincere desire to or-

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ganize and strengthen the camp of labor.

At this writing, Green's purging order has already resulted in the expulsion of the C.I.O. unions from the Cleveland central body of the A. F. of L., the lifting of the charter from the Columbus central body, and machinations to expel C.I.O. unions in Maryland. The C.I.O. replied to this by authorizing its executive officers "to issue certificates of affiliation to national, international, state, regional, city central bodies and local groups whenever it is deemed such action is advisable". As indicated by John L. Lewis, expulsions of C.I.O. unions, and others, from the A. F. of L. will make such action necessary. In the light of this explanation, the step taken by the C.I.O. is logical and necessary. Unions will not disperse just because Green and Frey succeed in expelling them from the A. F. of L. On the contrary, they will continue as organized bodies with C.I.O. charters, they will redouble their efforts to organize the workers and better their conditions, they will seek *more than heretofore* collaboration and united front with the unions and central bodies of the A. F. of L. for common activities in the interests of labor.

Thus the historic struggle for the organization of the unorganized, for the unity of the American trade union movement and for independent political action will proceed forward. These great objectives will be realized in the magnificent organizing drives carried on by the C.I.O. and by the progressive forces in the A. F. of L. unions, in the united front between the unions of the A. F. of L. and the C.I.O., in the mobilization of the masses for trade union unity and in a faster tempo of independent political action.

* * *

REACTION in the Democratic Party, instigated and backed by the Liberty League forces, is continuing to unfold its offensive. Senator Burke, for example, not only fights against the President's judiciary proposals but threatens openly a split in the Democratic Party. He said:

> "If the bill is passed that fact itself would not result in a new party alignment, but it undoubtedly would be followed by the introduction, passage and the sustaining by the Supreme Court of a class legislation that would necessitate a party regrouping."

Thus the reactionaries in the President's own party are attempting to nullify the people's mandate in the elections, trying to force the President to retreat by threatening a split and an alliance with the Republicans.

In this, of course, there is nothing surprising. The Communist Party had pointed out this possibility long before the election campaign of 1936 had gotten under way. We said then that the forces of the Liberty League—Morgan-du Pont—were not putting all their eggs in the one basket of defeating Roosevelt, although they concentrated on that very much. We said further that the Liberty League gang was also trying to make sure to elect into Congress as many of its own people as possible, not only through the Republican Party but also and most especially through the reactionary forces in the Democratic Party, and for this purpose was making use of Coughlin's "non-partisan" congressional campaign. We said: the Liberty League wants the

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President but is also making sure of Congress and the Supreme Court.

From this analysis, we proceeded to urge labor to pay attention to the Congressional elections also, not only to the presidency. We appealed to Labor's Non-Partisan League and to the A. F. of L. to organize an independent political campaign to elect labor, farmer and progressive members to Congress on the ground that, even if Roosevelt should meet all their expectations (which we knew he wouldn't) and be re-elected, he would be balked by the reactionary elements in Congress, those of his own party. We appealed to the American Labor Party in New York to enter the Congressional campaign.

Unfortunately we were not strong enough to move labor to adopt the correct policy at that time. The results are all too obvious. Congress fails to respond properly not only to the people's mandate *as labor understands it* but is unwilling in its bulk to follow even the President's very moderate and modest interpretation of this mandate.

Not only Congress but also the state legislatures. Here, too, we have urged independent political campaigns by labor and farmer forces. We proposed that course to the American Labor Party in New York knowing full well the character of the Democratic Party organization in that locality and state. Our proposals were not accepted by the leadership of the American Labor Party. Is it surprising then that the New York State Assembly votes down the Child Labor Amendment by a vote of 102 to 35, *with 41 Democrats voting against ratification?* No, that is not surprising. That was to be expected when the American Labor Party refused to put forth its own ticket for local, state and Congressional candidates, as urged by the Communist Party.

Reaction in the Democratic Party is consolidating. And the reactionaries in the Republican Party are naturally speculating on new possibilities for nullifying the people's mandate and for staging a come-back in the Congressional elections of 1938.

Reporting a discussion with a Republican Senator on the Supreme Court struggle and its effects upon the fortunes of the Republican Party, Arthur Krock writes:

> "A distinguished Republican Senator . . . expressed the opinion that whatever the outcome of the Maverick Bill [carrying out the President's Supreme Court plan], the split in the Democratic Party is permanent so long as it is dominated by New Deal and Roosevelt leadership. . . . Only by some form of face-saving for the President, thinks this Republican Senator, will an open party split be averted, and even then many Democrats will not change their determination to prevent a party candidacy endorsed by the President in 1940." (*New York Times,* March 3.)

Mark Sullivan writes in a similar vein. He says:

> "A former Republican Congressman from Pennsylvania, Mr. Thomas W. Phillips, Jr., declares forthrightly that the Republicans should 'make it clear, positive, definite and irrefutable that there will be no formidable national Republican ticket in the field in 1940'. Mr. Phillips' idea is that the Republicans should combine with the Democrats now opposing the President's court proposal in a new party with a new name." (*New York Herald Tribune,* March 4.)

This ought to open the eyes of those "liberals" who still oppose the President's proposals. They should be able to see that, in seeking the defeat of these proposals, the reactionaries in both parties *are opening a wedge for a*

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*comeback to power of the Liberty League-Hearst elements*—a rehearsal, so to speak, for the Congressional election of 1938 and for the Presidential elections of 1940.

Both Krock and Sullivan report Republican preoccupation with a joint reactionary maneuver for the Congressional elections of 1938.

It is therefore correct to say that the present struggle around the Supreme Court *is also a preparation and mobilization for the struggle in 1938.* It is a new phase in the political realignment which operated so powerfully in the last national elections and which is labor's great opportunity to become a leading force in the nation's life through the building up of a People's Front—a Farmer-Labor Party.

From this fact, certain immediate practical conclusions follow. It is the task and duty of the Farmer-Labor progressive forces to bring about the defeat of the reactionaries on the Supreme Court issue. And this means first of all *to make the President's proposals law* at the same time pressing forward for a thorough and effective curbing of the Court's usurped powers by Congressional action and mobilizing mass support for supplementary action by constitutional amendment later on.

To realize such a program of action, two things especially are necessary. There must be established closer collaboration and more firm consolidation of the Farmer-Labor progressive forces in Congress and in the state legislatures. There must also begin serious work of organizing these same class forces throughout the country in effective, independent political organization. In this way, the fight for the curbing of the Court's powers will be successful and, what is even more important in the longer run, the present attempt of reaction to stage a comeback will be thwarted and a long step will have been taken to promote the political realignment in the direction of a People's Front party and government in the United States.

Thus and only thus can labor and its allies prepare properly for the Congressional elections of 1938.

* * *

IN THE light of this situation, the recent convention of Labor's Non-Partisan League (March 8) and its decisions must be considered of extraordinary importance. The leadership of Labor's Non-Partisan League seems to realize—in part, at least—that labor is in a mood to go forward not only industrially *but also politically;* that in fact the former will be impossible without the later. The decisions of the convention mark a certain step forward along the lines of a faster tempo in independent political action.

Most significant is the declaration adopted by the convention. Four phases of this declaration should claim our special attention.

1. On the purposes of independent political action.

The declaration says:

"Labor's Non-Partisan League recognizes that the primary purpose of independent labor political action is to assist, by every legitimate political means, in the improvement of the wages and working and living conditions of American labor. To that end, the League will cooperate to the fullest possible extent in the extension and strengthening of labor organization in industry, and in the attainment of the specific legislative objectives of particular labor groups."

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That is true. The *immediate* purposes of labor's independent political action are stated well, especially when taken in connection with the next clause of the declaration to which we will come in a minute. The particular strength of this statement lies in the fact that labor's industrial and political aims are inseparably connected, that economics and politics are so closely related. This is bound to give the movement a powerful mass appeal as well as great stability. By *democratizing* the organizations of Labor's Non-Partisan League, the class spirit of the sit-downers on the industrial field is bound to reflect itself in the politics of the League. And that will be all for the good.

Yet, the above is only an *elementary* statement of the purposes of labor's independent political action. The wider implications and the long-term significance of such action is not there. It remains therefore for the Communists and the politically more advanced workers to draw before the masses the deeper *class significance* of independent political action, its role in the building up of a People's Front movement in the United States and the role which the People's Front can play in bridging *the transition* to the socialist revolution and the building of socialism.

To draw these lessons before the masses does not mean abstract and academic preachment from the outside. This is not the Communist way. It means active participation with the masses, among them and at the head of them, in daily economic and political struggles for the realization of the elementary purposes stated in the declaration. But this alone is not enough. It means *also* systematic political work to make the masses conscious of the deeper significance of their experiences in the struggle, always pointing out *the next step,* helping them to make that step, consciously steering developments towards a Farmer-Labor Party, and keeping open the perspective of the socialist revolution.

2. Labor and its allies.

On this the declaration says:

"The welfare of American labor, however, is inseparable from that of the nation as a whole. The League will actively support the organized farmers of the country in their efforts to improve agricultural conditions. More generally, we will work with every progressive group whose purpose is to secure the enactment of liberal and humanitarian legislation."

That is highly important. It is, we believe, the first time that the League demonstrates such a relatively clear understanding of the value of allies to labor, of the need of supporting and collaborating with these allies—the farmers and middle classes. This is the class basis for the People's Front and Farmer-Labor Party although the declaration does not view it in that light. This clause coupled with the first one gives the real measure of the political advance that the League has made since it came into existence.

Again there are shortcomings as well as implications which the class conscious workers must draw before the masses—not as outside mentors but as members of one class, as active participants, earning leadership by work and service in the interests of the masses. In that spirit, we should point out that "to support the organized farmers" in the interests of the American people means to support *the toiling farmers,* and that in the daily political life of the

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League this should be its guide. Especially now, when there are so many proposals for agricultural legislation a good deal of which favors the capitalist farmer at the expense of the toiling farmers (small owner, middle farmers, landless farmers and sharecroppers), it is doubly necessary to make sure that the League supports the right kind of legislation from the point of view of the interests of the toiling farmers—the bulk of the farming population—the closest ally of labor in the building of the People's Front.

A vital ommission in the declaration is the absence of a pledge of support to the economic and political demands of the Negro people. Of course, they are included in the farmers and in the reference to every "progressive group". Yet labor knows that the Negro people have special demands—equal rights—in addition to the demands which they share with the totality of labor, toiling farmers and middle classes. Surely, the League knows and appreciates the important role played by Negro labor in organizing the industries, and the generally progressive role played by the Negro people in the struggle against reaction and for "liberal and humanitarian legislation". It is, therefore, necessary to become conscious of the tremendous importance of the Negro people as an ally of labor and to collaborate with and support the special demands of the Negro people.

3. Independent organization and next steps.

On this the declaration says:

"Realizing that the possibility of securing favorable legislation from the state and national governments depends ultimately upon the power of labor to influence the results of primary and general elections, the League will extend its organization into every county in the United States in which any substantial number of wage earners are employed. This organization will be used, in election campaigns of the future, to insure the nomination and election to public office of men and women who are not only pledged to support labor and other progressive measures, but whose record also justifies the belief that these pledges will be kept."

It is necessary to say that, had such a policy been carried out in the 1936 elections, which was possible and which we urged, the composition of Congress and many state legislatures would have been today much more favorable to labor and progressive legislation. This only shows how important this decision is now. It may for the moment influence a number of Congressmen (especially those coming up for re-election in 1938) but more important is the *practical use* which the League will make of this vital decision in the coming election campaigns.

First, of course, is the actual building up of the League's organization "in every county". This is task number one and all labor forces should throw their energy into it. And build these organizations *on a democratic basis.* It has to be said that there are tendencies among certain sections of Labor's Non-Partisan League leadership to mistrust the rank and file in the matter of management and organization, to shut out the rank and file from any say-so in the affairs of the organization, to keep the thing too much as the exclusive affair of a top leadership. This is unhealthy. It militates against the success of the organization. The workers are demonstrating a growing political maturity and ability and *upon this* the League should be built.

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Surely John L. Lewis and Sidney Hillman know what a large and growing number of *young, capable and progressive leaders* have come forward in recent months from among the workers in the industries. Why, without the self-activity of the masses and without these young leaders produced by them the progress and successes of the C.I.O. would be unthinkable. Our proposal therefore is: *Develop further the self-activity of the masses. Bring forth their young and progressive leaders. Build Labor's Non-Partisan League upon the basis of this mass self-activity and the mass leaders. Build it as a democratic organization.*

Second, there is the practical use to be made of these organizations in the coming elections. A blueprint is neither possible nor necessary but a guiding line is. The declaration puts it as a task "to influence the results of primary and general elections". That seems to us too general to be a secure guide for labor. True there is further qualification in the statement that the League's organization will be used "to insure the nomination and election" of people to office who will not only pledge but actually support labor and progressive legislation. The precise question, however is: *how is this to be insured?* Is it possible today to lay down any sort of a safe guiding line *on that?*

It seems to us that it is both possible and necessary. And that guiding line should be: *build local and state Farmer-Labor Parties—People's Front Parties.* Such parties may have to adopt various tactics depending upon the conditions in their localities. They may have to, perhaps in most cases, *in addition to putting forth their own tickets,* mobilize the masses to participate in the primary elections of one or the other of the old parties; they may have to make alliances and agreements with genuinely progressive elements in the older parties, publicly registered and fixed. But whatever agreements, alliances, tactics, etc., these would be made by politically *independent* parties, consciously orientating and steering towards a Farmer-Labor Party. This and this alone will realize the decision of the League as expressed in the declaration "to *insure* the nomination and election" to public office of people who will not only pledge but actually support labor and progressive legislation.

We stress the above guiding line especially in connection with two immediate purposes: (a) municipal elections in a number of important labor centers especially in the company-ridden one-industry towns (steel, auto, mining, textile, rubber, etc.); and (b) the Congressional elections of 1938.

4. Labor's Non-Partisan League and President Roosevelt.

On this the declaration says:

> "The League is proud of the part it took in the tremendous victory of the President, and re-affirms now its acceptance of his leadership for the future."

It will not hurt but rather help labor to remind the President as frequently as necessary of the great obligation that he owes labor, even though it is done in a polite way as in the first part of the above quotation. It is a reminder of the People's Mandate.

As to the re-affirmation of "acceptance of his leadership", even though it may have been considered a necessary tactical move, there are serious dangers in that. First, the mood of the masses is not in that direction at all *but rather away from it.* The masses are today

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much more politically mature than, say, six months ago. Due to their experience in the great strikes and in developments on the legislative arena, the masses are developing a *critical attitude* to the President. They will support him, of course, against the reactionaries; that is good political *class sense*. But they will press *farther and beyond* the measures and policies of the President *because they feel strong and able;* because they are seeing ever more clearly that, though the President's course is susceptible to their pressure, it is the course of a capitalist statesmen, after all; because they can see better now their way to an independent political class line and to their role of leadership in a People's Front.

The masses will, of course, want "to play politics" with the President, but as an independent force, making use of the President's course to strengthen their own independent positions on the economic and political fields. This mood of the masses, which is so evident it seems to us, the declaration did not express; or if it did, very inadequately.

Second, it can be shown that, in fact, even the League itself is not altogether following Roosevelt as its leader. The League has correctly endorsed the President's judiciary proposals and is stepping forth to help defeat the reactionary opposition to these proposals. That is perfectly all right. Yet the leadership of the League fully realizes, though it does not say it *often enough,* that the fight against Supreme Court dictatorship will demand much more than what the President proposes. It means that the League is already several steps ahead of the President on this issue. The League has an independent position though (and this is a weakness) it does not fight for it sufficiently. So, what does the President's leadership really mean in this case? Isn't it a misnomer? Wouldn't it be more correct to describe the relationship between the League and the President, first, as a developing process; today it is not the same thing it was six months ago. Second, as a process going in the direction of more political independence of the League which maintains a sort of alliance with the President on concrete issues and generally against the reactionaries and economic royalists. And, third, that the direction of the process to more political independence of the League is conditioned by the growing pressure from below, from the maturing class consciousness of labor, and by the inevitable logic of events which the more progressive leaders of the League are beginning to evaluate more correctly — would not that be a more correct description?

* * *

PRESIDENT ROOSEVELT himself is partly aware of this process, of the changing attitude of the masses toward him, although he could not be expected to interpret these changes the way we do. In his "victory dinner" speech, we find the following reference to the attitude of the masses:

> "After Election Day in 1936, some of our supporters were uneasy lest we grasp the excuse of a false era of good feeling to evade our obligations. They were worried by the evil symptoms that the propaganda and the epithets of last summer and fall had died down."

Uneasy and worried—these words do not cover fully the moods of the masses after the elections. There was that, of course, but also much more. And if we

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speak of labor, uneasiness and worry about what Roosevelt will do were the least significant characteristics of the mood of the masses after the elections. More prominent was labor's feeling of *confidence in its own strength,* a determination to go forward and *to press the President* to fulfil his obligations to the people. This was one stage of mass feeling. Following the victory in General Motors, in steel, and the forward march in other industries, victories in which the masses became *confirmed* that they were really strong enough to compel respect for workers' rights, something new began to enter the mood of the masses. It is a feeling, and a growing *consciousness,* that President Roosevelt's political course *can be utilized* to labor's advantage only in the measure in which labor and its allies organize and fight *independently.* This is the new mood and consciousness to which we referred before. This might be designated as the second stage in the post-election attitude of the masses to the President.

Roosevelt, too, deals with this second stage in his "victory dinner" speech. But how? He says:

> "Today, however, those who placed their confidence in us are reassured. For the tumult and the shouting have broken forth anew—and from substantially the same elements of opposition. This new roar—for that's the best term—is the best evidence in the world that we have begun to keep our promises. . . ."

No, it is not that at all. The masses are *today* more politically mature. Hence they are more *alert* to all signs of reactionary revivals and plans of come-back. That's why the masses have so quickly rallied to the support of the President's judiciary proposals and against the reactionary opposition. This fact Roosevelt misinterprets to mean that the masses have become "reassured" and are rallying around himself as their leader. Whereas the true situation is this: the masses are now supporting Roosevelt against the onslaught of reaction *more consciously;* hence, *more independently, more critically.*

This is the most significant and promising sign in the present American scene. And on this as a basis, truly progressive labor leadership must build unionism, labor unity and the People's Front.

* * *

FARM legislation, housing, relief and foreign policy—these are some of the more important issues now before Congress and the country, in addition to the reorganization of the Supreme Court and various projects for labor legislation of a general character as well as for special industries. All of these must continue to be followed with the closest attention and an independent line hammered out by the Farmer-Labor and progressive forces.

In the sphere of agriculture, special consideration must be given at the present time to the most neglected section of the farming population—the landless farmers and sharecroppers. On this question, a good deal of talk has been heard lately about the need of "radical" solutions, such solutions as will cure American agriculture of its chronic crisis and will establish almost a "socialized" agriculture under capitalism. The danger is that this sort of empty talk will obscure *the immediate and partial* demands of the toiling farmers and will weaken the struggle

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for the quick realization of these demands.

It is therefore necessary to emphasize once more the acute need of such demands as deal with debts, taxation, drought and flood relief, social insurance for the toiling farmers, the right to organize and strike, civil liberties generally, protection from the oppression of the monopolies, etc.

As to the question of land for the landless farmers. On this we demand, as is known, governmental assistance to the landless farmers to secure for them land and implements sufficient to make a decent living on the farm. Of course, agriculture under capitalism cannot solve the question. That is why we do not pose the question as one of solution but as one of partial demands, *i.e.,* such economic and political measures as will tend to better the conditions of the toiling farmers immediately and will strengthen them, in alliance with labor, to struggle for the realization of a radical and complete solution.

Land to the landless farmers but no "subsistence" farms. That is, no compelling toiling farmers, whom the government helps to establish on land, to raise produce only for their own use but not for sale. This was the idea of the original Bankhead bill. Were such a thing to be realized, it would mean the establishment of penal servitude for the farmers thus "helped". We must therefore insist that land to the landless farmers means that the government helps the farmer to secure land and implements to start for himself, free to raise commercial crops like any other independent farmer. Government regulation of crops and prices, provided it is regulation in favor of the toiling farmers and against the monopolies, and provided it is democratically administered, should apply to all farmers; *but no special class* of "government farmers" who are prohibited by law from engaging in commercial farming and who are placed under constant supervision of a government bureaucracy.

More immediately dangerous is the tendency in governmental circles to confine land assistance to only a small and "select" group instead of helping the mass of 3,000,000 or so landless farmers. The report of the President's commission recommends that farms be made available "mainly" to farmers:

> ". . . selected on the basis of reputation for integrity, industry, thrift, necessary experience, health and other qualities. Preference should be given to families already living on lands purchased by the corporation."

This will mean in practice that the so-called land reform will cover largely if not exclusively a small section of debt-ridden farm owners. While these should be helped by all means, this should be done at the expense of absentee landlords and monopolies but not at the expense of the landless farmers. This is a fundamental point in the whole question. Therefore, the principle of land to all landless farmers must be kept clearly in view and fought for. And, equally important, the machinery that will handle the administration of the law—nationally and locally—and that will *select* the farmers to be helped *must be in the hands of the toiling farmers themselves.* The basic machinery for the administration of land assistance must be made up of *local farmers' land committees,* democratically elected in the localities, and fully in charge of *selecting the farmers to be helped with land.*

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It is evident that on this issue, as on all others, government circles in the Department of Agriculture are more than sympathetic to the views of the farmer-*capitalists*. Secretary Wallace is clearly very close in his views on this question to Louis J. Taber, master of the National Grange, who had asked President Roosevelt "to restrict federal aid to tenant farmers of proved experience and possessed of a small amount of capital." (*New York Herald Tribune,* Jan. 10.) Similar demands were presented at a White House Conference by Edward A. O'Neal, president of the American Farm Bureau Federation, on January 12 (*New York Times*). They are as follows:

"Provide an opportunity for worthy young farmers and efficient tenants to become farm owners by a liberalized loaning policy under the administration of the Agricultural Department and the Farm Credit Administration."

This is a bit more "liberal" than the Taber proposal but is restrictive just the same and would leave the bulk of landless farmers practically untouched.

Clearly, the bulk of the toiling farmers find themselves on this issue in a definite collision with the farmer capitalists. And this is as it should be. The issue is to be fought out precisely on this class basis. The danger, however, is that the farmer capitalists may swing over to their side certain sections of middle farmers and by this sort of demagogy: "there are already too many farmers, and too much agricultural produce, and that most of the landless farmers are no good anyway, lazy, shiftless, improvident, etc." The typical "kulak" argument but which is having its effect upon the middle farmer. And why? Because American agriculture *is in crisis*. This crisis the farmer capitalist, like the finance monopolist, wants to meet in a capitalist way—at the expense of the people; while the toiling farmers want to help themselves at the expense of the monopolies and large scale agrarian capitalists. This can be done *now*. And the middle farmer, the same as the small one and the landless farmer, are all interested in this sort of policy. The small and landless farmers are clearly interested in preventing a rift with the middle farmers. All together, and in alliance with labor which is willing to support the toiling farmers (see decision of Labor's Non-Partisan League), will be strong enough to win.

Considering therefore the need of solidifying the ranks of the toiling farmers (small and middle and landless), it is doubly necessary to insist that the power of selecting farmers to be aided by government in securing land and implements *be lodged in local farmers' land committees* democratically organized, which means that these committees will be controlled in the main by the small, middle and landless farmers. This will eliminate domination of the farmer-capitalist in alliance with government bureaucracy and will provide a means for a peaceful and *democratic* settlement of whatever differences may arise on the land question within the camp of the toiling farmers.

* * *

All these observations are applicable to the country as a whole. They constitute the general principles of a national land policy, and on the basis of these principles special programs have to be worked out for the various agricultural groups and regions: grain,

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fruit and vegetables, livestock, dairy and—the South.

The South, as is universally recognized, is a problem by itself, though closely related to the general agrarian problem. What is not so universally recognized is the *nature* of the problem of the South. Even the minority report submitted by W. L. Blackstone, representative of the Southern Tenant Farmers' Union (S.T.F.U.) on the President's Farm Tenancy Committee, manages to miss the basic reason for the troubles and sufferings of the Southern tenants and sharecroppers.

That basic reason is *the remnants of Negro slavery in the economy and politics of the South, interwoven with the oppression of modern monopoly capital.* This is what lies at the base of the special and terrific oppression under which the people of the South are forced to live—the whites, but most particularly the Negroes. No program for the South is worth its name unless it begins by attacking this fundamental evil—*the inequality of the Negro people.* This, unfortunately, the Blackstone report does not do.

Equal rights for Negroes must therefore form point one in a program for the landless farmers and sharecroppers of the South—economic, political and social equal rights.

The Blackstone report stresses very correctly the need of the protection of civil rights—equal franchise, right to organize and strike, freedom of assembly and press, etc. This is a basic demand, and the Blackstone report is right in insisting that these liberties be enforced by the federal government instead of leaving the matter to the states. But civil liberties for all in the South will remain a mockery, as it is today, unless the demand for equal rights for Negroes is effectively enforced.

Another fundamental demand missing in the Blackstone report is the one on the establishment of local farmers' land committees. This is a vital omission and we hope it will be corrected. It is correct to demand, as Blackstone does, that land settlement be in the hands of a special governmental body *not under the Department of Agriculture,* and that "tenants, sharecroppers and farm workers be given representation on the central board of control". This is very important. But this alone, without local land committees democratically organized and in charge of actual land settlement in the localities, will mean nothing. This, too, has to be corrected.

The Blackstone report opposes the idea of "small homesteads" [individual small farms] for the cotton South, believing these to be "an economic anachronism, foredoomed to failure". The report is of the opinion that the proposal for small homesteads in cotton

> "... runs contrary to generations of experience which, we believe, could be capitalized in a cooperative effort under enlightened federal supervision."

The Southern sharecropper and tenant correctly fears that individual farmers, established by the government on land, and engaged in the cultivation of cotton, will not be able to withstand for long the competition of the plantations. Hence, numbers of them seem to favor large-scale cooperative farming. Reference is often made to the Delta Cooperative which, it is claimed, has proven successful in cooperative cotton raising.

Of course, the Southern tenants and

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sharecroppers, who wish to join in a cooperative farm, should be at liberty to do so and should receive for that purpose all the necessary assistance from the government in land, implements, loans, etc. The question is: should this be made *obligatory?* Should cooperatives receive *preferential treatment* in the matter of government assistance? We think not. We think, this should be entirely *voluntary* with the tenants and sharecroppers themselves and that small homesteads and cooperatives should be treated on the same basis.

It occurs to us that many of those favoring cooperative farming have their eyes fixed on the unquestionable success of collective farming in the Soviet Union. But there it is *socialized* agriculture, an organic part of a *national socialist economy.* When we come to it, this will be the solution for our country as well. But today? How can one seriously consider a socialized agriculture in the South, in surroundings that are socially dominated by remnants of slavery in the service of monopoly capital? The South has still got to free itself of these remnants, and of imperialist domination, which means an agrarian revolution and complete equality of the Negro people. It is most certain that the struggle for *partial* demands today will hasten the growth of the People's Front movement and will thus bring the day of complete liberation nearer. But it is equally certain that socialized agriculture is not the task of the day.

Does this mean that large scale cooperative farming in cotton is impossible today? Not at all. It is possible, indeed. Only what will happen to them? Those large scale cooperative farms that will prove strong enough in competition with the plantations will inevitably tend to become transformed *into a new type of capitalist farm,* which will in time begin to engage hired labor, squeeze out from the cooperative the less capitalistically aggressive elements, and perhaps develop some sharecropping on the side. This is, of course, no reason to fight against the cooperative idea but is reason enough to make it *a voluntary matter* with the farmers. It is also reason enough to try to dissipate existing illusions on "socialized" agriculture in the South *of today* and to insist that cooperatives receive no preferential treatment as compared with the small homestead.

But, it may be asked, what is the answer to the argument that small homesteads in cotton will not be able to survive competition from the plantations? The first answer is that the small homestead must not be confined *by law* to the raising of cotton only. The farmer shall be free to raise and sell whatever he deems best. Small farmers will continue to organize into buying and selling cooperatives but will have to see that these cooperatives are really controlled by themselves and not by speculators and banks. Furthermore, and this is most important, we must not relinquish for a moment the fight for federal social insurance for the toiling farmers, *for price regulation that will protect the toiling farmers (and toilers consumers) from the rapacity of the plantations and monopolies,* and for all other partial demands dealing with taxation, debts, credit, etc. All this will not abolish the advantages and exploitation of the capitalist agrarians and monopolies. Of course not. Only socialism will. But it will offer protec-

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tion, relief and alleviation, enabling the masses to prepare for the radical and revolutionary solution.

And this is the second answer. Only a revolutionary solution will create the basis for socialized agriculture and for the happiness of the toiling farmers. The daily struggle for the partial demands, as above discussed, will materially improve the conditions of the toiling farmers *now*, will hasten the coming into power of a People's Front government in the United States, and will thus bring nearer the day of socialism and socialized agriculture.

The need of the moment is to make the voice of the toiling farmers *heard*. There was all too little expression of opinion on these matters from the organized toiling farmers themselves. The Southern Tenant Farmers' Union has spoken; some others have. That is important. Yet the need is for a *national* presentation of demands and organized national *action* by the organized toiling farmers as well as for collaboration with organized labor for common struggle.

* * *

MAY Day is nearing. It is bound to be a most important day of working class celebration and demonstration. And so it is to be prepared.

The fight against reaction, fascism and war—the struggle for democracy and peace—is continuing to develop in the United States in a direction ever more favorable to the masses. May Day, 1937, will therefore be the occasion *for celebrating important victories and advances* of the camp of labor, democracy and peace.

With the current advances of American labor, in the industries and politically, the progressive role of the American working class and its allies has greatly risen not only at home but also *internationally*. This fact can best be given expression to in the coming May Day by rallying the widest masses *in support of the Spanish people, in opposition to the fascist world aggressors (Hitler, Mussolini, the Japanese militarists)*, and its agents—the Trotskyite traitors.

May Day also constitutes the occasion for further dramatizing and reinforcing the fight *against the Supreme Court dictatorship.*

And in line with the main trend of class struggle in the country, May Day, 1937, is to be *a day of mobilization for carrying further the advance of the people:* the unionization of the industries; trade union unity; labor and progressive legislation; faster tempo in independent political action; for the People's Front in the United States; active support to the peace policies of the Soviet Union.

In the spirit and with the policies of the united front, forward to May Day!

A. B.

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# THE PEOPLE VS. THE SUPREME COURT

BY C. A. HATHAWAY

THE Supreme Court issue is central in the struggle being carried on by the American people to win a measure of economic security and extend their democratic rights. Defeated in three successive national elections, the economic royalists of Wall Street are attempting to use the Court to block every attempt to pass necessary social and labor legislation and as a legal weapon against the organizing drives in the basic industries.

Roosevelt precipitated the struggle by making a proposal to "unpack" the Court. He shrouded his real motives by talking of crowded court calendars and the senility of the judges. Although he did not present his proposal as having a relationship to fundamental political and social issues, the reactionaries immediately declared war against the proposal, because they saw that to unpack the Court was to strike a blow against judicial usurpation which would encourage progressives to press forward to the final elimination of the usurped powers of the nine old men.

In this connection the concentration of reactionary forces lined up in defense of the Court has gone far beyond the reactionary bloc which supported Landon in the election campaign. Such supposedly liberal papers as the Scripps-Howard press, which supported Roosevelt in the last election, have joined hands with the reactionary *New York Herald Tribune* in a bitter fight against the Court proposals. A press campaign was started which surpassed the worst aspects of the Hearst-Liberty League press campaign of last year.

Having taken a licking in the elections, the reactionaries have not put their face forward. It is not the discredited Al Smith or reactionaries of his type who are leading the Wall Street brigades. It is liberal Senators, of the type of Wheeler, who have been pushed forward as the leaders in the struggle against the Court reform behind a smokescreen of demagogy that this will lead to dictatorship. It is this liberal front which has fooled many progressives into believing that the Supreme Court is the last bulwark of democracy, when, as a matter of fact, the Supreme Court in its whole history has never done anything in defense of civil rights.

This concealment of the reactionary character of the attack against the Supreme Court proposal shows that Wall Street realizes that the temper of the country is such that they cannot conduct the kind of campaign which played up Landon. The reactionaries hide behind the liberal spokesmen who they have pushed to the front of the fight. In addition, they have made



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an important tactical reversal. During the election campaign, the reactionaries were opposed to any kind of alteration in the Court, and especially attacked the idea of a constitutional amendment modifying the Court's powers. Today, they support a constitutional amendment as the only way to meet the problems raised by the conflict between the Supreme Court and Congress, as the only way of sabotaging the proposals of Roosevelt.

In this way the reactionaries are trying to split the camp of the progressive forces by attempting to make the issue one of democratic, constitutional procedure against the supposed dictatorial methods of Roosevelt. With this, they conceal the fundamental struggle between progress and reaction, and we see progressives like Senators Wheeler and Bone acting as shock troops to defeat a measure which would be a blow against the judicial dictatorship of the Court.

The violence of the reactionary attack brought about important changes in Roosevelt's position on the Court issue. From concealing the issue, Roosevelt in his two broadcasts to the nation aggressively defended his position and went much further than he had in his original proposals. He made the issue one of stopping the Court's interference with necessary social legislation and challenged the Court as he never had before. He very cleverly brought out the point that the Court was blocking aid for workers, farmers and small businessmen, and that therefore the Court had to be reformed *now*.

This has brought the issue to a sharp focus as a fight to prevent the Supreme Court from sabotaging social legislation. It is significant that the worst reactionaries on the bench, like Justices Hughes and McReynolds, are so worried over the outcome that they break precedents by attacking the proposals. This shows that the issue is sharpening as the people rally behind Roosevelt's proposals. The reactionaries fear that a victory for the people on this issue, coupled with the open defiance of legal injunctions by the sit-down strikers, will lead to a serious weakening of their methods of denying democratic rights to the people.

That is why they have reversed themselves and come out for a constitutional amendment along the lines of the proposal of Senators Wheeler and Bone. This measure would give Congress the right to veto a decision of the Supreme Court by a two-third vote after a period of a national election. This would require the election of a new Congress and then two-thirds of the membership would have to be gotten together to veto a decision made by the Supreme Court at least two years before.

This is the amendment put forward by the reactionaries as a "progressive" measure which makes unnecessary Roosevelt's proposal to unpack the Court. It evades the question that the Supreme Court does not have the power to kill Congressional legislation, and in addition gives the reactionaries a useful weapon with which to sabotage the immediate fight and hamstring legislation in the future.

From this can be gathered the determination with which Wall Street is rallying the reactionary forces to defeat the proposal of Roosevelt. This should make clear to us that, although the reactionaries suffered a setback in the November elections, they did not

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take that defeat lying down. They proceeded immediately after the election, first under the guise of an "era of good feeling", and now in the form of bitter conflict against the Supreme Court proposal, to reconsolidate their forces for a new assault against the mandate of the people.

It is against this background that we must estimate Roosevelt's proposal. Of course, it does not go to the heart of the problem. It does not end the usurpation of power by the judiciary. It does not take up the issue of having Congress repudiate the usurped powers of the Supreme Court. This could be done in two ways. Congress could reassert its right to pass social legislation and determine its constitutionality. In this connection there are precedents. Congress has in the past tacked on riders to bills which stated that the Supreme Court should not have power to review this legislation from the viewpoint of constitutionality. We believe that Congress can reassert that power, and we advocate that it do so now. Furthermore, since we have no illusions that the Supreme Court will abide by the will of the people and will not attempt in the future to extend its usurpation, we Communists propose an amendment that will categorically declare that the Supreme Court shall not have the power to challenge the constitutionality of acts of Congress. This would end the usurped powers of the Supreme Court and reestablish Congress as the law-making body of the country.

This is the broad program of the Communist Party, for which we will continue to fight. But, in the immediate situation, President Roosevelt's proposal is a step in the right direction. By unpacking the Court it would enable Congress at this session to pass important and needed legislation without fearing that these laws would be nullified by the autocrats on the bench. This would be a blow against those reactionary forces which are using the Court in an attempt to defeat the mandate of the people. A victory on this issue would encourage progressives to press forward to the final elimination of the Court's usurped power to declare laws of Congress unconstitutional.

Thus, the proposals of Roosevelt are of great importance and require the support of all progressives. It is necessary to stress that the present proposal to enlarge the Court would smash the present reactionary bloc on the bench. In the past, this method was used to break a deadlock in which the Supreme Court was found to be blocking national policies. Today the same method can be used to do away with the reactionary decisions of the Supreme Court.

Those liberals and progressives who support the Wheeler-Bone amendment should realize that they are playing into the hands of the worst reactionaries, those who are desperately trying to prevent the enactment of any social and labor legislation at this session of Congress. The reactionaries are for the constitutional method, because this they know would put the issue away on ice for the next ten or fifteen years. That is about the time it has taken to pass constitutional amendments in the past, and in the meantime the Supreme Court would go on its way nullifying all progressive legislation. The fate of the Child Labor Amendment illustrates this point. After thirteen years the amendment has still not been rati-

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fied by a sufficient number of states to make it part of the Constitution. We have just seen how it was defeated by the reactionaries in the New York State legislature and in other places. If, after so many years, the Child Labor Amendment has not been adopted, then one can imagine the time it would take for an amendment to be ratified which aims to curb the power of the Court and prevent it from acting as the instrument and protector of big business.

While the Roosevelt proposal is not the fundamental solution, from the very nature of the struggle which is developing in support of his proposal it is clear that victory on this issue would lead to greater victories over the judicial dictatorship. This is fully recognized by the reactionaries and explains the ferocity with which they are fighting the measure. It is necessary for all progressives also to realize the issues at stake and mobilize the people for a victory over reaction.

More and more the full significance of the fight that is under way is being grasped by the people. This is the sharpest fight that has taken place in American political life since the Civil War. Before it is fought to a finish there are likely to be consequences which will have the most important implications for the future of this country. Quite aside from Roosevelt and his plans, the fight around the Court issue is the fight of the people for social legislation against the tyranny of Wall Street. Class lines are being drawn in this struggle so that everything which is reactionary is combining to prevent the adoption of the mild proposals of Roosevelt and, on the other side, everything that is progressive in American life is mobilizing its forces to push this measure through.

This division of forces is becoming more clearly apparent, and the atmosphere is bitter with the heat of conflict. Both sides are girding themselves for battle, and as the discussion sharpens in the streets, in the factories, and in the political forums, the realignment of political forces in this country will be speeded up.

Already we see the Tories within the Democratic Party, who formerly supported certain progressive measures because they were machine Democrats who received patronage from the administration, breaking with Roosevelt and speaking openly of a split in the Democratic Party unless his measure is defeated. Reactionary commentators, like David Lawrence, are urging the Republican Old Guard to follow the lead of these reactionary Democrats and unite as a conservative party to defend the Court and thus the interests of finance capital.

This realignment is shown in the division within the Democratic Party where Senators from the same state are lined up on different sides on the Court issue. Roosevelt himself is aware of this tendency within the Democratic Party, and he has appealed that the conflicts be resolved. It is significant that he did not do this on the basis of traditional rhetoric, but that he quoted from his famous Madison Square speech of last November, in which he made direct pledges to labor, farmers and small businessmen. He concluded that speech by saying: "We have just begun to fight"; and in his speceh to the Democratic Party he took up where he had left off then. He put this slogan at the conclusion of almost every paragraph

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throughout his speech. He reminded his own party that he had been elected to fight on issues of benefit to the people, and now he demanded that the Democratic Party carry through that program. It is significant that he reminded them of the struggles which convulsed the country during the Civil War, and he declared that he would not hand over a heritage to his successor such as Buchanan gave to Lincoln.

The objective result of such language has been to sharpen the issue. The central issue becomes social legislation and the needs of the people against the dictatorship of the Court and the greed of Wall Street. More people clearly see that the Court's powers must be taken away if Congress is to pass social legislation which will meet the needs of millions. Thus, the issue of democracy versus fascism, which the Communist Party declared was the central issue of the election campaign, dominates the Supreme Court fight and divides the country ever more sharply into two conflicting camps of progress and reaction.

That this is being realized by progressives is shown by the speeches delivered by such people as Senator La Follette, and by the firm attitude of support adopted by Labor's Non-Partisan League at its convention held early in March. La Follette and other progressives have minced no words in their speeches, and have shown that the threat of dictatorship lies not in the mild proposals of Roosevelt but in the reactionary role of the Court.

Labor's Non-Partisan League issued a call rallying the entire labor movement in support of the measure to unpack the Court. The speeches made on the Court issue by progressive labor leaders placed the whole question as one involving social legislation and the need to rally the people in a new political alignment to win their demands.

The campaign outlined by Labor's Non-Partisan League to bring everybody together in support of the Court proposals of Roosevelt shows a new degree of political awareness on the part of labor leaders in that organization and is a direct result of the victories won by the C.I.O. in steel and auto, which gave labor consciousness of its growing power and the need to play a bigger role in the political affairs of the country.

As the realignment in the country takes place we see that Roosevelt finds himself depending more and more on the trade union movement and primarily on the progressive section, the C.I.O., and on those progressives in the House and Senate of the type of La Follette, to force the passage of legislation on the Supreme Court. In other words, he has raised issues so sharply and started so important a fight that he is being increasingly deserted by the reactionaries, and he must depend on the most progressive sections of the population to win the struggle. He can abandon his struggle, of course, and retreat back to the camp of the reactionaries, but short of that, he can only work more firmly with the progressive forces if he intends to carry his fight through to the end. But either way, he will split the Democratic Party, and that split will not be permanently healed. There will begin to develop all over the country organized progressive groups in and around the Democratic Party which will serve as the forerunner for a new political realignment

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that will be of tremendous importance in the future. Such movements as the Commonwealth Federation in Washington, the Epic movement in California, Labor's Non-Partisan League, will go forward on the issue of the Court and, from being state or regional groupings, will become national in character.

These movements will not only be the organized expression of the split taking place in the Democratic Party, but at the same time they will serve as the forerunners of a broad People's Front movement in the United States. We can see now that the People's Front will not immediately and in a pure form express itself as a Farmer-Labor Party. It will develop in the form of every kind of progressive and opposition movement inside and around the Democratic Party, and at the same time affect progressive sections of the Republican Party and thus bring about a direct crystallization of progressive forces throughout the country.

Roosevelt feels the pressure of this movement which is developing toward a People's Front expressing itself finally as the Farmer-Labor Party. This can be seen by the development on the part of Roosevelt himself. If we compare the speeches of Roosevelt on the Court issue with those he made in the election campaign, we can see that verbally at least he has felt the pressure of the progressives and has taken a step which, if accompanied by fighting deeds, will play an important role in the coming alignment of forces.

Labor's Non-Partisan League, as a result of the fight around the Court issue, is taking a big step forward. It recognized the development of the new political groupings which we have been discussing and declared that the League must organize itself on a permanent basis, conducting a campaign everywhere for the affiliation of workers, farmers and progressive groups, and that it must begin to build itself on an individual membership basis. This is an advance over the position of the League in the election campaign, when it created no effective organization. In the new grouping of political forces that is taking place, Labor's Non-Partisan League can become the decisive force in the fight for social legislation against the tyranny of the Court and for rallying all progressive forces which are breaking away from the influence and dominance of the reactionaries.

In this decisive struggle, it is necessary for the Party to play a role which will increase our influence in the labor movement and strengthen our connections with the most progressive sections. We must do all in our power to help make the American labor movement a more effective political instrument which will be the dominant force in rallying together all the progressive, anti-fascist forces in the country. This can best be done at the moment by our comrades being the hardest and most effective workers for forcing the passage of the Court proposals. In the unions, in the fraternal organizations, in the churches, in barber shops and every community gathering, our comrades must rally the workers to defeat the reactionaries and open up the way for effective social legislation in the United States.

We must not only follow the proposals of others but, while supporting them, develop our own actions. We

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should issue leaflets bringing forward our position, we should arrange a series of meetings in which the role of the Supreme Court as a bulwark of reaction will be exposed. Our role in the Supreme Court fight will be decisive to the extent that every Party member understands the issues at stake and devotes himself wholeheartedly to rallying the people.

The campaign of the reactionaries is unprecedented in volume and ferocity. They are flooding Congress with letters written on all kinds of used paper and old envelopes in order to give the impression that the opposition comes from the working sections of the population. Every form of deceit and pressure is being used to defeat the proposals. The people have given evidence that they are behind the unpacking of the Court. Their voice must be heard in Washington, and it is the job of every Party member to see that their message in one form or another is conveyed to the press, is brought to the attention of Congress and is used to defeat the reactionaries. If our Party responds properly to the opportunity at hand, we can become a real force in determining the outcome of the fight, and thus pave the way for a leading participation by our Party in the coming realignment of political forces in this country.

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# THE SUPREME COURT AND CIVIL LIBERTIES

BY OBED PURCELL

REACTIONARIES are propagating the idea that the Supreme Court is a protector of civil rights. Many liberals have also opposed the President's plan for reorganization of the Supreme Court on the ground that to deprive the Court of its power of judicial veto over legislative acts is to deprive minority groups of their protection against invasion of their rights.

An examination of the record of the Supreme Court from the date of its founding down to the present time discloses three significant facts:

1. The Supreme Court has never declared unconstitutional any act of a state legislature which appears to be clearly in conflict with those provisions of the United States Constitution protecting civil rights.

2. The Supreme Court has consistently upheld the constitutionality of Congressional legislation depriving people of civil rights.

3. The Supreme Court has declared unconstitutional every bit of Congressional legislation which has attempted either to enforce or broaden civil rights.

To begin with, if we accept the right of the Supreme Court to declare unconstitutional an act of Congress we no longer exist under a democratic government. Therefore, it must be stressed that the Constitution itself does not give the Supreme Court power to declare laws of Congress unconstitutional. Second, this usurped power is in use in only one country and that country is the United States. In no other government does a court have the right to declare unconstitutional an act of the leading parliamentary body. As a matter of fact, when an English judge once attempted to declare unconstitutional an act of Parliament, the latter demanded the head of the judge and the judge was sentenced to death for his impertinence in trying to overrule Parliament.

It is well to bear in mind that the original Constitution itself contains only two provisions which come under the head of civil liberties: (1) That the privilege of the writ of habeas corpus shall not be suspended unless when in cases of rebellion or invasion the public safety may require it; and (2) that the trial of all crimes, except in cases of impeachment, shall be by jury. It is evident that to the framers of the Constitution these two rights were so basic that it was necessary to embody them in the document by which the country was to be governed. Yet the United States Supreme Court has ruled that



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these are only restraints upon the federal government and that it is possible for a state to punish a state crime without trial by jury, and for a state to so emasculate the habeas corpus provisions as to make them almost meaningless.

In addition to the two provisions named above there were adopted the first eight amendments to the Constitution which are known as the Bill of Rights. In the Bill of Rights are found the provisions that Congress shall make no law abridging the freedom of speech or of the press; or the right of the people peaceably to assemble and to petition the government for a redress of grievances. In the Bill of Rights are also found the provisions against excessive bail, cruel and unusual punishment and the right to a speedy and public trial by an impartial jury. The Supreme Court has construed the Bill of Rights to mean that these provisions are only restraints upon the federal government, and are not restraints upon the state governments. In plain everyday English this means that according to the Supreme Court any law that a state passes which invades the right of freedom of speech, press, assemblage, etc., is perfectly "constitutional".

At the close of the Civil War the feeling of the people of this country with respect to democratic rights was similar to the feeling of the masses today. Three amendments to the Constitution were rapidly adopted—the 13th, 14th and 15th. The 13th Amendment contains two sections: The first abolishing slavery, and the second giving Congress the power to enforce the amendment by appropriate legislation.

The 14th Amendment reads as follows:

"All persons born or naturalized in the United States and subject to the jurisdiction thereof are citizens of the United States and of the state wherein they reside. *No state shall make or enforce any law which shall abridge the privileges or immunities of the United States; nor shall any state deprive any persons of life, liberty or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the law.*"

The 15th Amendment gave to the Negro people the right to vote—and to Congress the right to enact appropriate legislation to enforce that right.

Let us pause for a moment and survey the Constitution as it appeared after the passage of the 15th Amendment. Clearly on its face the passage of the 14th Amendment did away with whatever right any state might have had to interfere with the life or liberties of any citizen. The rulings of the Supreme Court that the civil rights sections of the Bill of Rights were only restraints upon the federal government apparently had been overcome since the 14th Amendment prohibited the states from interfering with the life and liberty of any person without due process of law. And, when one added the provisions of the 15th Amendment giving the Negro people the right to vote and giving Congress power to enact appropriate legislation to enforce that right, it appeared as though effective legal guarantees had been set up.

However, there was just one fly in the ointment. And that was that the Supreme Court usurped the right to pass upon the interpretation of these amendments. And here are some of the results of the interpretation:

Under the 15th Amendment, for

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example, Congress passed a law prohibiting discrimination against Negroes in inns, railroads, etc. The United States Supreme Court held the law unconstitutional (109 U.S. 3). Congress passed a federal anti-lynching law. The United States Supreme Court held the law unconstitutional (106 U.S. 629). Congress passed a law prohibiting disenfranchisement of the Negro voters. The United States Supreme Court held the law unconstitutional (92 U.S. 214). Congress passed a law protecting Negro voters against violence. The United States Supreme Court held the law unconstitutional (190 U.S. 127). Congress passed a law protecting Negro workers against violence. The United States Supreme Court held the law unconstitutional.

Certainly, after considering the action of the Court in nullifying the legislation listed above, it is clear that the Supreme Court has upheld the violation of civil rights as they affect the Negro people. It is not important in this short article to describe in detail the legal dodges by which the Supreme Court achieved the results that it did. It is obvious that the Court was not concerned with what the people wanted. The Court was only concerned with what the ruling class wanted, and that was to keep the Negro people a subject race, and despite the clear language of the amendment it succeeded in nullifying its purpose.

Bad as the record of the Court is in its interpretation of the 15th Amendment, its record is even worse in its interpretation of the 14th Amendment. This amendment has become the excuse by which all state legislation, intended to better the economic and social conditions of the working class, has been declared unconstitutional. The words "life and liberty" have been deprived of their normal dictionary meaning under the interpretations of the amendment. And the word "property" has taken on new and added meaning. Property rights were declared to be supreme above human rights by the Court.

The Court invented a legal device for throwing out social legislation which rivals the triple shift in football. This device might well be called the 5th Amendment to the 10th Amendment to the 14th Amendment. The 5th Amendment is used to throw out *Congressional* social legislation. This amendment contains a provision that no person shall be deprived of life, liberty or property without due process of law. But under the 5th Amendment Congressional social legislation is thrown out by the Supreme Court on the ground that the particular act in question deprives a person of his property without due process.

The 10th Amendment reads as follows:

> "The powers not delegated to the United States by the Constitution nor prohibited by it to the states are reserved to the states respectively or to the people."

So when the Court gets tired of using the 5th Amendment and feels that it cannot work the due process argument on Congressional legislation it turns to the states rights doctrine and uses the 10th Amendment. The Court rules that Congress has no right to legislate on the particular point in question because it is not one of the enumerated powers given to it. And the Court holds that the proper tribunal for legislation is the state. Then when a state at-

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tempts to meet the particular problem at hand the Court gets back and uses the due process clause contained in the 14th Amendment and rules that that the *state* is violating the due process clause of the 14th Amendment in that it deprives a person of property without due process of law.

The neatest illustration of this jockeying is the decisions in the minimum wage cases. In Atkins vs. Children's Hospital, 261 U.S. 525, the Supreme Court declared that Congress could not establish a minimum wage for women and that for Congress to pass such legislation was not within the powers granted it by the Constitution. When New York State enacted a minimum wage law the Supreme Court again declared the law unconstitutional relying on the 14th Amendment as a basis for throwing it out. Some of the other laws that were declared unconstitutional by virtue of the 14th Amendment were the abolition of the yellow-dog contracts (Coppage vs. Kansas, 236 U.S. 1); anti-injunction legislation (Truax vs. Corrigan, 257 U.S. 312); establishment of a sixty-hour week (Lochner vs. N.Y., 198 U.S. 45); regulation of prices in interest of consumers (Chicago M. & St. Paul Railway vs. Minnesota, 134 U.S. 418 and Tyson vs. Banton, 273 U.S. 418).

A careful student of the history of the 14th Amendment can find long lists of cases in which the purpose of the amendment has been perverted, but none in which the perversion is made more clear than in the little-known case of Prudential Insurance Company of America vs. Cheek, 259 U.S. 530. In that case Mr. Justice Pitney, writing the opinion for the Court, said as follows:

"As this court more than once has pointed out, the privileges or immunities of citizens, protected by the 14th Amendment against abridgement by state laws, are not those fundamental privileges and immunities inherent in state citizenship, but only those which owe their existence to the Federal government, its national character, its Constitution, or its laws. Slaughter-House Cases, 16 Wall. 36."

"As we have stated, *neither the 14th Amendment nor any other provision of the Constitution of the United States imposes upon the states any restrictions about 'freedom of speech'.*"

It is of more than passing significance that three years later Mr. Justice Sanford, writing the decision in the case upholding a conviction for violation of the Criminal Anarchy Laws of New York State, went so far as to say that, even if freedom of speech and of the press are fundamental personal rights and liberties protected by the due process clause of the 14th Amendment from impairment by the states, nevertheless the conviction should be affirmed. His exact language was:

'For present purposes we may and do assume that freedom of speech and of the press—which are protected by the 1st Amendment from abridgement by Congress—are among the fundamental personal rights and 'liberties' protected by the Due Process Clause of the 14th Amendment from impairment by the states."

Two years later, in the famous case of Anita Whitney vs. California, 274 U. S. 356, a new doctrine was enunciated by the Court in upholding the conviction of Anita Whitney for violation of the California Criminal Syndicalism Laws, namely:

*"That the freedom of speech which is secured by the Constitution does not confer an absolute right to speak,* without responsi-

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bility, whatever one may choose, or an unrestricted and unbridled license giving immunity for every possible use of language and preventing the punishment of those who abuse this freedom."

The cases discussed above make clear how much of a "bulwark" the Supreme Court is against impairment by the states of civil rights and liberties. The Court found no difficulty in upholding the constitutionality of the state laws curtailing these civil rights and liberties. So that Whitney and others went to jail under state laws.

During the war hysteria Congress passed the Espionage Act and Eugene V. Debs was tried and sentenced for violation of the Espionage Act, a Federal law. Did the Supreme Court rise to defend Debs against the encroachment by Congress on his civil rights and liberties? Every reader knows that the answer is no. But few people remember the fact that the decision upholding the constitutionality of the Espionage Act was written by the supposedly greatest liberal that ever sat on the Supreme Court Bench —Oliver Wendell Holmes. The decision was unanimous and concurred in by Mr. Justice Brandeis.

In view of this record of the Court the question may well be asked just why it is that liberals place any hope in the Supreme Court as a bulwark for civil liberties and fight so zealously for the preservation of the judicial power. The answer is that they have not analyzed concretely just what it is that the Court has decided in such cases as the De Jonge case and the Scottsboro case. It is therefore important to examine these cases and see just what the issues involved were and just what was decided by the Court.

In considering these points it is well to bear in mind the following:

1. *The Supreme Court has itself ruled that it is not a super court of justice* and that its function as a court of justice is limited solely to deciding whether the person convicted was convicted after due process. For example, the Court refused to entertain any appeal in the Sacco-Vanzetti case, and similarly the Court has refused to entertain any appeal in the Mooney case.

2. It must also be remembered that the Scottsboro boys and De Jonge were convicted for alleged violation of state laws and the proposal to curb the Court does not deprive the Court of its power to pass upon the constitutionality of state legislation.

The Oregon Criminal Syndicalism Law under which De Jonge was prosecuted and convicted is a particularly vicious one. The Supreme Court had the opportunity of passing upon the constitutionality of this legislation. The Court reversed the conviction with direct and explicit instructions to the District Attorney as to just what he had to do in order to secure a conviction the next time. The Oregon Criminal Syndicalism Law remains on the statute books today and is just as effective now as it was the day that De Jonge was convicted. The only thing that the Court decided there was that they had not followed the proper technical forms in order to convict him. Under the Criminal Syndicalism Law in Oregon a man may still properly and legally be convicted and sentenced to ten years in prison for mere membership in the Communist Party.

In the Scottsboro case the Supreme Court did not hold that the Scottsboro boys were railroaded and did not act

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as a court of justice to free them. The Supreme Court merely said that the legal forms had not been complied with. For instance, in the first Scottsboro case, known officially as Powell vs. Alabama, and reported in 287 U.S. 45, the Court ruling was, in effect, that since the defendants had not had an opportunity to be represented by counsel of their own choosing there had been no due process, and that therefore they were entitled to a new trial.

By the time of the second Scottsboro case the worldwide protest instigated by the Communist Party had taken the concrete form of providing the Scottsboro boys with the most able defense counsel that the country possessed. Despite the brilliant presentation of the issues involved during the course of the second trial the lynch atmosphere under which the case was tried resulted in a conviction. And when the case came up on appeal to the United States Supreme Court in Powell vs. Alabama and Norris vs. Alabama, reported, respectively, in 294 U. S. 587, and 294 U. S. 600, the Court *did not* examine the full record of the case and rule that again there had been a great miscarriage of justice and that the boys should go free.

The Court merely ruled on one legal question and that was whether Negroes had served on the jury panel from which the trial jury was drawn. And the Court found that since Negroes had not been called to serve on the jury panel therefore there had been no due process, and again sent the case back for a new trial. When the case came back for trial the third time a Negro was added to the jury panel. The mere fact that a Negro sat on the jury panel does not mean that the prosecution would ever accept him to *serve* on the jury, and the failure of the prosecution to accept the Negro to serve on the jury certainly under the present legal system of any state of the union would not be considered a denial of due process.

As a matter of fact, Alabama showed how empty this right really was when the Negro who was added to the list was actually refused the right by the Presiding Justice to sit in the same box for questioning as the whites. He was ordered to sit on a chair outside the jury box while being questioned. It is interesting to note that Judges Butler and McReynolds were not even willing to give Negroes these rights, but dissented from the opinions of Justice Hughes in the first case, and in the second case, rather than follow Hughes, McReynolds refused to sit.

In the Scottsboro, Mooney and Herndon cases the Supreme Court did not even have the excuse which it had at the time that it sentenced Debs to ten years in jail, namely, that the country was in a state of war. These decisions are peacetime decisions, and in the face of all this certain liberals are naive enough to believe that the Supreme Court is a protector of civil liberties.

It is important that we understand the full significance of the fact that we have a Constitution, but that the Constitution is what the judges say it is. How important this question becomes in connection with Negro rights, for example, is best illustrated when one reads the scholarly dissenting opinion of Mr. Justice Harlan in the Civil Rights cases. It shows that the reactionaries deprived the Negroes of the rights which were intended for them

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under the 15th Amendment. We quote sections of his opinion to show that a bourgeois liberal recognized the usurpation of power by the Supreme Court:

"The opinion in these cases," says Mr. Justice Harlan, "proceeds, it seems to me, upon grounds entirely too narrow and artificial. *I cannot resist the conclusion that the substance and spirit of the recent Amendments of the Constitution have been sacrificed by a subtle and ingenious verbal criticism.* 'It is not the words of the law but the internal sense of it that makes the law; the letter of the law is the body; the sense and reason of the law is the soul.' *Constitutional provisions, adopted in the interest of liberty, and for the purpose of securing through national legislation, if need be, rights inhering in a state of freedom, and belonging to American citizenship, have been so construed as to defeat the ends the people desired to accomplish, which they attempted to accomplish, and which they supposed they had accomplished by changes in their fundamental law.* By this I do not mean that the determination of these cases should have been materially controlled by considerations of mere expediency or policy. *I mean only,* in this form, *to express an earnest conviction that the court has departed from the familiar rule requiring, in the interpretation of constitutional provisions, that full effect be given to the intent with which they were adopted. . . .*

"We have seen that the power of Congress, by legislation, to enforce the master's right to have his slave delivered up on claim was *implied* from the recognition of that right in the National Constitution. But the power conferred by the 13th Amendment does not rest upon implication or inference. Those who framed it were not ignorant of the discussion, covering many years of our country's history, as to the constitutional power of Congress to enact the Fugitive Slave laws of 1793 and 1850. When, therefore, it was determined by a change in the fundamental law, to uproot the institution of slavery wherever it existed in the land, and to establish universal freedom, there was a fixed purpose to place the authority of Congress in the premises beyond the possibility of a doubt. Therefore, *ex industria,* power to enforce the 13th Amendment, by appropriate legislation, was expressly granted. Legislation for that purpose, my brethren concede, may be direct and primary. But to what specific ends may it be directed? This court has uniformly held that the national government has the power, whether expressly given or not, to secure and protect rights conferred or guaranteed by the Constitution. U. S. vs. Reese, 92 U. S. Strauder vs. W. Va., 100 U. S. 303. *That doctrine ought not to be abandoned when the inquiry is not as to an implied power to protect the master's rights, but what may Congress, under powers expressly granted, do for the protection of freedom and the rights necessarily inhering in a state of freedom. . . .*

"The 13th Amendment, it is conceded, did something more than to prohibit slavery as an *institution,* resting upon distinctions of race and upheld by positive law. My brethren admit that it established and decreed universal *civil freedom* throughout the United States. But did the freedom thus established involve nothing more than exemption from actual slavery? Was nothing more intended than to forbid one man from owning another as property? *Was it the purpose of the nation* simply to destroy the institution, and then remit the race, theretofore held in bondage, to the several states for such protection, in their civil rights, necessarily growing out of freedom, as those states, in their discretion, might choose to provide? *Were the states against whose protest the institution was destroyed to be left free, so far as national interference was concerned, to make or allow discriminations against that race, as such, in the enjoyment of those fundamental rights which by universal concession inhere in a state of freedom?* Had the 13th Amendment stopped with the sweeping declaration, in its first section, against the existence of slavery and involuntary servitude, except for crime, Congress would have had the power, by implication, according to the doctrines of Prigg vs. Commonwealth of Pennsylvania, repeated in Strauder vs. West Virginia, to protect the freedom established and, consequently, to secure the enjoyment of such civil rights as

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were fundamental in freedom. That it can exert its authority to that extent is made clear, and was intended to be made clear, by the express grant of power contained in the second section of the Amendment. . . .

"If, then, exemption from discrimination, in respect of civil rights, *is a new constitutional right*, secured by the grant of state citizenship to colored citizens of the United States—*and I do not see how this can now be questioned—why may not the nation, by means of its own legislation of a primary direct character, guard, protect and enforce that right?* It is a right and privilege which the nation conferred. It did not come from the states in which those colored citizens reside. *It has been the established doctrine of this court during all its history, accepted as essential to the national supremacy,* that Congress, in the absence of a positive delegation of power to the State Legislatures, *may, by its own legislation, enforce and protect any right derived from or created by the national Constitution.* It was so declared in Prigg vs. Commonwealth of Pennsylvania. It was reiterated in United States vs. Reese, 92 U. S. 214, where the court said that 'Rights and immunities created by and de pendent upon the Constitution of the United States can be protected by Congress. The form and manner of the protection may be such as Congress, in the legitimate exercise of its discretion, shall provide. These may be varied to meet the necessities of the particular right to be protected.' . . .

"This court has always given a broad and liberal construction to the Constitution, so as to enable Congress, by legislation, to enforce rights secured by instrument. The legislation which Congress may enact, in execution of its power to enforce the provisions of this Amendment, is such as may be appropriate to protect the right granted. The word 'appropriate' was undoubtedly used with reference to its meaning, as established by repeated decisions of this court. Under given circumstances, that which the court characterizes as corrective legislation might be deemed by Congress appropriate and entirely sufficient. Under other circumstances primary direct legislation may be required. *But it is for Congress, not the judiciary, to say what legislation is appropriate;* that is, best adapted to the end to be attained. *The judiciary may not, with safety to our institutions, enter the domain of legislative discretion, and dictate the means which Congress shall employ in the exercise of its granted powers. That would be sheer usurption of the functions of a coordinate department, which, if often repeated, and permanently acquiesced in, would work a radical change in our system of government.*"

As a result of the popular uprising against the brazenness of the Court in outlawing every attempt on the part of Congress to respond to the pressure of the masses for Social legislation, it has become apparent that something must be done to curb the Court.

At the present writing, mass pressure must be brought behind the President's plan for reorganization of the Court, for the following reasons:

1. The President's plan removes the Court from the sacrosanct atmosphere which has been created for it by the reactionaries and puts the issue of the Court where it belongs, before the people.

2. While a great many amendments are offered by sincere people as the solution of the problem of curbing the Court, a great many more amendments are offered by reactionaries of the type of Walter Lippmann for the express purpose of confusing the issue and *diverting the attack from the Court where it properly belongs to the Constitution where it does not belong.*

3. The provisions of the Constitution with respect to amendment are so cumbersome that a small minority of reactionaries strategically placed throughout the Southern states can block for all time any effective amendment. A realistic look at the American scene with respect to the Court dis-

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closes that an effective amendment is almost hopeless of achievement. The Child Labor Amendment, for example, after fourteen years is still seven states shy of adoption. Can any one believe that the reactionary elements will permit the power of the Supreme Court to be curbed by amendment without a struggle a hundred times as great as the struggle that they have put up against the Child Labor Amendment?

4. After seeing what the Supreme Court has done to the 13th, 14th and 15th Amendments is there any reason to believe that, if an amendment guaranteeing workers' rights were adopted, the Supreme Court would interpret it so that it would fulfil the purpose which it ostensibly seeks to achieve? The enactment of this sort of an amendment would only prolong the Supreme Court run-around for years to come.

All the reactionary forces in the country are moving forward full speed through the press, by means of radio, through the motion pictures, through the reactionary organizations, such as the Liberty League, the Woman's Organization to Preserve the Court, the Chambers of Commerce, the Bar Associations, etc., to stem the rising revolt of the people against the power of the Court. These powerful forces of reaction must be checked and the fight on the Court must be intensified.

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# THE SUPREME COURT, "CITADEL OF SLAVERY"

BY ELIZABETH LAWSON

AMONG the most pliant and powerful tools of the American slavocracy was the United States Supreme Court. From the floor of Congress, Senator John P. Hale of New Hampshire denounced it as "the citadel of slavery". Between 1825 and 1858, the highest court rendered eleven* decisions reviewing basic principles of the slavery system; each of these decisions was in complete harmony with the interests of slave-owners. That the opinions were, in several instances, mutually contradictory; that justices affirmed what they had previously denied; that they tortured principles of law to make them serve the convenience of the moment—all this renders untenable the theory of the Supreme Court's political innocence.

Of the eleven decisions touching on slavery, four dealt with the African slave trade; four with federal and state fugitive slave laws; and three with the status of slaves who, though not fugitives, had resided temporarily on free soil. Of this last group of cases that of Dred Scott concerned also the legality of slavery in the vast territory not yet admitted to statehood. The astounding Dred Scott opinion was the culmination, the most rounded expression, of the pro-slavery theories of a court which, in the course of three decades, constructed the legal framework within which the slavocracy could function to best advantage.

The composition of the court during this period gives evidence of deliberate "packing" by the slaveholders. By the Act of Congress of 1837—five years after the attempt at nullification by South Carolina marked the slavocracy's political maturity—the free states, with a population of almost 10,000,000, were to have but four circuit courts, while the slave states, with a white population of only 4,500,000, were to have five. Free states admitted to the Union in later years were granted no representation on the Supreme Court.

Through control by the Judiciary Committee of the Senate, there were appointed, for the minority of circuits in free territory, judges who—with a few notable exceptions—reflected the opinions of the Northern commercial and banking aristocracy, in alliance with the slave-owners. Thus, at the time of the Dred Scott decision, five of the

* We shall consider here only cases argued before the full Court, without touching on decisions rendered by individual Supreme Court justices on circuit. The entire machinery of the federal judiciary, however, was, with few exceptions, made to serve the slave-owners.



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justices were Southern Democrats; with them voted two Northern Democrats; and only one Republican and one Northern Whig voiced dissenting opinions.

* * *

The first of the cases on the foreign slave trade to come before the court was that of the *Antelope,* brought up for adjudication in 1825. The facts were these: a Venezuelan privateer, the *Arranganta,* secretly fitted out in Baltimore, sailed for Africa to prey upon slavers and capture their cargo for its own profit. Among its victims were a Spanish ship, and an American vessel, the *Antelope.* Subsequently—for reasons not vital to this discussion—all the Negroes were transferred to the hold of the *Antelope,* which then hovered about the southern coast of the United States, hoping to turn a deal in slaves.

The *Antelope,* however, was captured by a United States revenue cutter and taken to the port of Savannah. About 280 Negroes were found on board. The federal government asserted that the Negroes had been brought to the country in violation of the law, and were free. The Circuit Court of Georgia liberated those Negroes originally captured from the American vessel off the African Coast, but awarded others to the Spanish claimants. The government then appealed to the United States Supreme Court.

An Act of Congress of 1807 had declared forfeit "any ship or vessel found hovering near the coast of the United States, having on board any Negro, mulatto, or person of color, for the purpose of selling them as slaves". Ex-President John Quincy Adams, arguing the case for the government in the highest court, pointed out that this act made no distinction as to the national character of the ship. The court, however, chose to base itself rather on a supplementary federal statute of 1820, making the slave trade piracy *when carried on by citizens of the United States.* It was this last phrase which the court emphasized in its opinion, pronounced by Chief Justice Marshall, restoring to the Spanish Consul the Negroes whom he claimed on behalf of Spanish citizens. It should be noted, in this connection, that Spain had also prohibited foreign slave trade.

The essence of the decision was, first, that the institution of slavery was legal, and, second, that the nations of the world had not outlawed the slave trade, nor declared it to be piracy, and that it was therefore justified.

"Slavery," said Marshall, "has its origin in force; but as the world was agreed that it is a legitimate result of force, the state of things thus produced by general consent cannot be pronounced unlawful."

The Negroes, he explained, had been legally captured in "war"—a "war" of the white invaders against the natives of Africa.

"International law," the opinion stated, "is decidedly in favor of the legality of the slave trade."

That trade might, in consequence, be lawfully carried on by those nations which had not prohibited it; it was not piracy; and the right of visitation and search—by which alone the slave trade

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could be suppressed—did not exist in time of peace.

Marshall took occasion to express regret that in this litigation "the sacred rights of liberty and of property come in conflict with each other"; the conflict was resolved, nevertheless, in favor of property.

Two years later, the highest court handed down a decision in the case of John Gooding, a notorious slave-trader indicted in Baltimore. His attorney, Roger B. Taney, later Chief Justice, carried an appeal to the Supreme Court. Taney made no attempt to deny his client's guilt; he based his plea instead on alleged defects in the indictment. By means of hair-splitting legal technicalities, the court found judgment for Gooding.

Within little more than a decade, however, the Supreme Court delivered two further decisions touching the African slave trade; one (the United States vs. Isaac Morris, 1840) dealt severely with a citizen of the United States who served on board a slaver; the other freed a group of Negroes who, seized in Africa and transported to Cuba, rose in revolt and took possession of the ship.

At first glance, these decisions might be thought to indicate a change of heart by the Supreme Court. But there was, in actual fact, no betrayal of the interests of the slave-owners. As the years passed, the border states, their soil exhausted by slave cultivation, turned more and more to systematic breeding of slaves for market; to them, the importation of African Negroes represented unwelcome competition. To hold the loyalty of the border states, the slavocracy agreed to forego the foreign slave trade. Further, it was to the interests of the wealthiest and most powerful of the slave owners to prevent the glutting of the market and the consequent fall in the value of their property. It was not they, but rather the middle and lower strata among the slave owners, who voiced the demand for cheap slaves. For these reasons, even the Constitution of the Confederacy, adopted in 1861, continued the prohibition of the African slave trade.

An insurrection of Negroes aboard a Spanish slaver in 1839 resulted in a long judicial controversy, in the course of which mass pressure on a widely organized scale was brought to bear on the highest court.

In violation of the laws of Spain, the schooner *Amistad*, with about sixty Negroes and two white passengers, left Havana for Puerto Principe, another Cuban port. The Negroes spoke no Spanish, and were obviously recent captives from Africa; but it was the custom of the Cuban authorities not to inquire too closely into a profitable business. The story of the Negroes' capture and transport was typical of the cruelties of the trade. Seized and manacled on the African coast, they were rammed into the slave ship and, in a space not over four feet high, they sat crouched, day and night, chained in couples by wrists and legs. An unknown number of men, women, and children died on the passage. In Havana, the captives were kept in their irons, starved, and regularly beaten.

Four nights out from Havana, the Negroes rose, killed the captain and three of the crew, and took possession of the vessel. The two white passengers were spared to navigate. They steered

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for Africa by day, but each night they turned the ship about. For sixty-three days the *Amistad* cruised about the western Atlantic waters, finally putting in at the Long Island coast. The appearance of the vessel aroused suspicion, and a United States steamer and several revenue cutters were sent to investigate.

Fifty-four Negroes—three of them young girls—were taken alive from the *Amistad*. The two white passengers filed claims to them as slaves; the case went in time before the Supreme Court, and the Negroes were kept in jail pending the outcome.

Under the leadership of the Abolitionists, a mass defense movement was organized. Appeals in the anti-slavery press brought funds to cover legal expenses and to provide prison comforts. The protests which poured in upon the Supreme Court caused a government committee to report in indignation:

> "A lawless combination, insisting that these blacks were guilty of no offense, resisted their being punished. Zealots, with the help of the press, resisted the cause of justice, and resolved to free the Negro malefactors. Moral force and intimidation were put in operation to awe the courts. The fanatical denunciation of Negro slavery created these blacks heroes and martyrs."

Basing itself on Spain's prohibition of African slave trade, the Supreme Court in 1841 decided that the Negroes had been seized contrary to law, and were entitled to their freedom. Mass meetings greeted the insurrectionists upon their release from jail, and Cinque, leader of the uprising, addressed cheering New England crowds in his native tongue.

In four decisions the highest court upheld the constitutionality of the two federal fugitive slave acts, which made aid to runaways a crime. The first of these cases was that of Prigg vs. Pennsylvania. The immediate question at issue was the legality of Pennsylvania's "personal liberty" law, one of the many statutes passed in Northern states, upon the insistence of the people, to hinder the operation of the fugitive slave acts. The Pennsylvania law detailed the procedure whereby a runaway could be recovered, and made punishable recapture in any other manner.

In 1837, the slave-catcher Edward Prigg came to Pennsylvania to seize Margaret Morgan, who had been a slave in Maryland. Finding the procedure prescribed too slow, Prigg kidnaped the fugitive. Arrested and convicted of violation of the Pennsylvania statute, he appealed to the United States Supreme Court, contending that the "personal liberty" law was unconstitutional and void, since it had the effect of nullifying the federal Fugitive Slave Act of 1793.

Pronouncing the opinion of the court in 1842, Justice Story pointed out the contradictions between the state and federal regulations on the recapture of fugitives. The Act of 1793 authorized arrest without a warrant; the Pennsylvania law required one. The federal act admitted the oath of the owner or his agent as proof of claim; the Pennsylvania law excluded the testimony of both on this point, and required the testimony of disinterested witnesses.

The Pennsylvania law, said Story,

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was therefore unconstitutional as was

> ". . . any state law or regulation, which interrupts, limits, delays, or postpones the right of the owner to the immediate possession of the slave, and the immediate command of his service and labor. We hold the law [of 1793—E.L.] to be clearly constitutional."

Thus the highest court upheld the constitutionality of an act which denied the rights of trial by jury and of habeas corpus. One of the immediate effects of the Prigg decision was to nullify an act of New York State, granting jury trials to alleged fugitives.

Still another portion of the court's opinion reversed one of the fundamental principles of Anglo-Saxon jurisprudence: it declared that "in a state where slavery is allowed, every colored person is presumed to be a slave". This removed the burden of proof from the slave-catcher, and threw it upon the defendant, to show that he was free.

But there was a joker in the decision. The constitutionality of state laws passed in *aid* of the claimant of runaways was not involved in this case, but the court, anxious to place all matters concerning fugitives in the hands of the pro-slavery national government, gratuitously expressed the opinion that Congress alone had power to legislate on recapture, and that state laws designed either to hinder or to assist the federal statute were alike unconstitutional. Taking advantage of this portion of the opinion—which the court was to repudiate some years later—the Northern states continued to pass "personal liberty" laws, forbidding the use of state jails for the imprisonment of fugitives, and prohibiting state officials from assisting in the execution of the federal statutes.

The constitutionality of the Fugitive Slave Law of 1793 was again brought into question in the case of Jones vs. Van Zandt, decided by the court in 1847. The John Van Zandt of the controversy was an Abolitionist and keeper of a "station" on the "underground railroad". Returning to his farm from a trip to Cincinnati in 1842, Van Zandt transported in his wagon nine Kentucky fugitives. He was overtaken on the road by a party of slave-catchers, one of whom, peering into the covered wagon, asked, "Van Zandt, is that you? Have you a load of runaways?" To this Van Zandt replied: "They are by nature as free as you or I."

The slave-catchers succeeded in retaking all but one of the Negroes. Tried and convicted in the United States District Court, Van Zandt declared himself ready to repeat the "offense" at any time. He appealed to the Supreme Court, alleging the unconstitutionality of the law of 1793. The court upheld the conviction, again affirming the legality of the 1793 Act, and declaring:

> "All of its provisions have been found necessary to protect private rights."

The private rights to which the court referred were, of course, the rights of the slave-owners.

The federal Fugitive Slave Law of 1850, with its more stringent regulations, superseded the law of 1793 and, like its predecessor, was twice tested and upheld by the Supreme Court. The first case was that of Moore vs. Illinois, decided in 1852. Richard Eells,

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of Quincy, Illinois, had sheltered a Negro runaway, and had been tried and convicted of violation of a state law, which punished the harboring of fugitive slaves. The Supreme Court, to which the verdict was appealed, now found itself in difficulties because of its gratuitous expression of opinion in the Prigg case, that state laws purporting to assist recapture were as unconstitutional as those obviously designed to hinder it. To this portion of the Prigg verdict Eells now referred, to uphold his contention that the Illinois statute was unconstitutional. Embarrassed, the court said that this question had never properly come before it; that "this court has not decided that state legislation in aid of the claimant, is void".

Justice Grier delivered the opinion of the court:

"A state," he said, "has a right to make it a penal offense to introduce paupers, criminals, or fugitive slaves within her borders. Some of the states have found it necessary to protect themselves against the influx either of liberated or fugitive slaves, and to repel from their soil a population likely to become burdensome and injurious either as paupers or criminals. If a state should thus indirectly benefit the master of a fugitive, no one has a right to complain that it has fulfilled a duty assigned or imposed by its compact as a member of the Union."

Particularly noteworthy in this decision is its reversal of an opinion in the Prigg case; its justification of state laws barring free Negroes; and its lumping of "paupers, criminals, or fugitive slaves".

A most important judicial struggle centering around the Fugitive Slave Law of 1850 was the case of Ableman vs. Booth. In the course of it, the Wisconsin Supreme Court defied the United States Supreme Court and refused to carry out its mandates. The case was decided by the highest court in 1858; the facts were, briefly, these:

The runaway slave Joshua Glover was seized at Racine, Wisconsin, in 1854, and taken in chains to prison in Milwaukee. Summoned by the courthouse bell, the people of Racine gathered in mass meeting, and elected a committee of 100 to arrange for Glover's defense and a jury trial. The committee took boat for Milwaukee, where they found men already riding horseback through the streets, crying: "All free citizens, who are opposed to being made slaves or slave-catchers, turn out to a meeting in the Court House Square at two o'clock."

Five thousand persons gathered and passed resolutions against the recapture of fugitives. "We, as citizens of Wisconsin," they stated, "do hereby declare the slave-catching law of 1850 disgraceful and repealed." Then, learning that a writ of habeas corpus had been disregarded by Glover's captors, they marched upon the jail, stormed it, and released the Negro, who succeeded in reaching Canada.

Accused of being the instigator of this rescue, Sherman M. Booth, editor of an Abolition paper in Milwaukee, was arrested, charged with violation of the Fugitive Slave Law. He was convicted in United States District Court. His bearing at the trial made him a hero of the anti-slavery forces. He regretted, he said, that he had not taken more active part in the affair.

"So far from having to reproach myself with what I have done," Booth declared, "I ought, perhaps, to blame myself for not having done

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more. Instead of keeping, as I have done, strictly to the letter of the law, perhaps I ought to have braved the penalty of those who broke open the jail, and set an example of resistance to this Fugitive Slave Law by aiding in the forcible rescue of Glover."

Denouncing the federal law as "a stupendous fraud, as wicked as stupendous, and a nullity before God and man", Booth stated:

"I am frank to say—and the prosecution may make the most of it—that I sympathize with the rescuers of Glover and rejoice at his escape. I rejoice that, in the first attempt of the slave-hunters to convert our jail into a slave-pen and our citizens into slave-catchers, they have signally failed, and that it has been decided by the spontaneous uprising and the sovereign voice of the people that no human being can be dragged into bondage from Milwaukee."

Upon application to the Wisconsin Supreme Court, Booth was granted a writ of habeas corpus and freed from jail. That court declared the federal Fugitive Slave law unconstitutional.

The verdict of Wisconsin was appealed to the United States Supreme Court. Counsel for the defense argued the unconstitutionality of the law of 1850, pointing out that it refused Negroes claimed as fugitives the right to trial by jury, thus depriving them of liberty without due process of law. The contention was denied by the court, which, in a decision rendered by Chief Justice Taney, ordered the Wisconsin Court to reverse itself and remand Booth to jail.

This instruction the Supreme Court of Wisconsin refused to carry out, and Booth remained for several years a free man. Finally, however, the composition of the Wisconsin court changed, and when in 1860 another order arrived for Booth's arrest, he was denied habeas corpus. He was rescued from jail, and two further attempts at his seizure were forcibly prevented, in one case by an armed guard of sixty-two citizens. At last the authorities succeeded in holding him, and he remained in prison until, just before the Civil War, he was pardoned by President Buchanan.

At every stage of the controversy the people made themselves heard. The excitement spread far beyond the boundaries of Wisconsin. The argument of Booth's counsel, printed in pamphlet form, was distributed in thousands of copies. Mass meetings were called in many states to thank the Glover rescuers; at these meetings, a fund was made up for the defense. When Booth was eventually sent to jail, the church bells and cannon of Milwaukee summoned the citizens to the railway station to see him off.

The repeated decisions of the Supreme Court upholding the fugitive slave laws only steeled the anti-slavery forces. In 1854 the federal government was forced to spend $40,000 for infantry, cavalry, artillery, and marines to return Anthony Burns from Boston to slavery in Virginia. Almost every Northern state had its "Booth" case, following rescues or attempted rescues of Negro runaways who had fallen into the hands of the officials. In Oberlin, Ohio, to mention but one instance, a professor and several college students were among those tried after a Negro had been taken from his captors and sent on to Canada. The defense of victims of the fugitive slave laws foreshadowed in many respects the defense of class-war prisoners today: the courts

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became forums for the expression of anti-slavery sentiments; the stories of the trials were printed and widely distributed; funds were collected by popular appeal; and mass gatherings of Negroes and whites sent messages of solidarity to the defendants and denounced the fugitive slave laws and the Supreme Court's subserviency to the slave power.

During these years, the "underground railroad" developed into a great network of secret travel, systematically organized, and involving to greater or less degree hundreds of thousands of persons; over this "railroad" an average of a thousand slaves a year escaped to free soil. Persecution of slave-catchers became a science and an art; two who arrived in Boston in 1850, to seize the daring fugitives William and Ellen Craft, complained that "they could not step into the street but that they were surrounded by jeering men". In the *Liberator* appeared this significant sentence:

> "The warrants for the arrest of William and Ellen Craft have been issued; no officer has yet been found bold enough to serve them."

* * *

In three decisions on the legal status of slaves, the Supreme Court tightened the bonds of slavery, declaring that even residence on free soil with consent of the owner did not strike off the chains. The first of these decisions was made in the case of the ship *Garonne,* in 1837. A resident of New Orleans had gone to France, taking with her a Negro girl as personal servant. On their return, the Negro was continued in slavery. The ship in which the girl arrived—the *Garonne*—was held for breach of the Act of Congress of 1818. That Act provided: "It shall not be lawful to import or bring, in any manner whatsoever, into the United States, any Negro, mulatto, or person of color," with intent to hold "such person as a slave." The Supreme Court, anxious to cause the slaveholders no inconvenience, held that the provisions of the act did not apply to slaves taken out of the country and brought back.

A related question—whether slaves sent into a free state for temporary work were thereby emancipated—was decided by the highest court in 1850, in the case of Strader vs. Graham. Here again, as always, the court gave slavery the benefit of the doubt.

Christopher Graham was the owner of two slaves who had escaped from Kentucky into Canada. Finding that they had been transported in the steamboat *Pike,* Graham sued Jacob Strader, one of the boat's owners. Strader's defense was that the Negroes were already free when they embarked; they had previously, with Graham's consent, gone to Ohio to perform in a band. Defense counsel pointed out that if residence in a free state, with consent of the owner, did not free the slave, there would be nothing to prevent citizens of Ohio, for example, from hiring slaves from Kentucky and thus in effect nullifying Ohio's emancipation act.

The Supreme Court decided that it had no jurisdiction in the case—that is, that the slave states alone could determine the status of Negroes who had left their boundaries and returned.

* * *

By the middle of the century, the Supreme Court had rooted slavery

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firmly in the law; it had again and again reiterated the legality of the institution, thus pronouncing upon it a judicial blessing; it had locked every door and fastened every window of the slave's prisonhouse. One task was left: to provide for slavery's spread across the continent. This was the most important assignment that the court was called upon to carry out for, to American slavery, the opportunity for expansion was the very breath of life.

Congress had begun the task in 1854 with the passage of the Kansas-Nebraska Act, which repealed that provision of the Missouri Compromise of 1820 that declared territory north of the line of 36°30′ to be forever free. The Kansas-Nebraska Act established "popular sovereignty"; ostensibly, the right of the people of a new state to determine for themselves the question of slavery or freedom; actually, the right of the slave-owners to take their human chattels into all portions of the unsettled West. The legality of the Kansas Act was, however, constantly called into question. Further, it failed to solve an important problem: when did the right of the settlers to accept or reject slavery begin? While the land was still in territorial status? Or only when it acquired statehood? This was more than a legal quibble, for that system of labor which first acquired a foothold in the territories would almost inevitably drive out its rival.

To assure the right of the slavocracy to extend its domain from ocean to ocean, the Supreme Court took advantage of what would ordinarily have been a minor tangle at law, and pronounced the Dred Scott decision.

The facts in the case were simple. A Negro slave, Dred Scott, brought suit against the widow of his former master in the State Circuit Court of St. Louis, alleging that his sojourn in territory north of the Missouri Compromise line, in his master's service, had effected his liberation according to the terms of the statute.

It was the contention of Dred Scott's master that a Negro was not a citizen of the United States, and could not sue in the federal courts. He asked, therefore, that the case be dismissed. The Supreme Court agreed that a Negro had no right to sue. That being so, it was not necessary to enter into questions raised in the litigation. But the justices were not willing to terminate the controversy so simply. They felt that the time had come to deal Abolitionism a judicial blow.

The leaders of the slavocracy were awake to the opportunities offered by the Dred Scott case. On all occasions, they impressed upon the justices their chance to settle the question of slavery extension. It was Alexander H. Stephens, later Vice President of the Confederacy, who organized this pressure. "I have been urging all the influence I could bring to bear upon the court," he wrote to a friend, "to get them to postpone no longer the case in the Missouri restriction."

Confidential letters which have since come to light show that the Southern members of the court were in constant communication with the incoming President on the progress of the case; that the more aggressive of the proslavery justices used Buchanan to whip up their colleagues; and that Buchanan's pretense, in his inaugural address, that he was ignorant of the

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nature of the forthcoming decision, was a lie uttered in the first hour of his administration.

Less than a month before the inaugural, Justice Catron of the Supreme Court wrote to Buchanan:

"The Dred Scott case has been before the Judge [Justice Wayne—E.L.] several times since last Saturday, and I think you may safely say in your Inaugural 'that the question involving the constitutionality of the Missouri Compromise line is presented to the appropriate tribunal to decide; to wit, the Supreme Court of the United States. It is due to its high and independent character to suppose that it will settle a controversy which has so long and so seriously agitated the country'.

"Will you drop Grier a line, saying how necessary it is, and how good the opportunity is, to settle the agitation by an affirmative decision of the Supreme Court, one way or the other? He ought not to occupy so doubtful a ground on the outside issue."

Buchanan's letter to Grier has not been discovered, but it is evident that there was one, for a few days later Grier wrote to the President-elect:

"Your letter came to hand this morning. I have taken the liberty to show it in confidence to our mutual friends Judge Wayne and the Chief Justice. We fully appreciate and concur in your views as to the desirableness at this time of having an expression of opinion of the court on this troublesome question. With their concurrence, I will give you in confidence the history of the case before us, with the probable result. There will be six if not seven who will decide the Compromise of 1820 to be of non-effect."

There were two major questions which the Court undertook to decide. First, was a free Negro a citizen? Second, was that portion of the Missouri Compromise Act which prohibited slavery north of 36° 30′ constitutional?

It was the intention of the framers of the Constitution, declared Chief Justice Taney, to set up in the United States a government of white men. They did not look upon Negroes as citizens. The Negroes had, in fact, been regarded at the time of the adoption of the Constitution, as "beings of an inferior order; and so far inferior, that they had no rights which the white man was bound to respect". Therefore, Negroes and the descendants of Negroes could never enjoy citizenship. Laws in effect in the colonies when the Revolution began, showed that "a perpetual and impassable barrier was intended to be erected between the white race and the one which they had reduced to slavery". The phrase used in the Declaration of Independence, that "all men are created equal", did not include Negroes, free or slave.

Politically, the most significant part of the decision was that which voided the Missouri Compromise line, and affirmed the right of slave-owners to take their property into any territory of the United States. To rule, as had the Missouri Compromise, that slave-owners might not bring their slaves into the northern portion of the Louisiana purchase, was to deprive citizens of their property without due process of law. The Court again declared the constitutionality of slavery: the Constitution made no distinction between slaves and other property, and no legislative, executive, or judicial authority of the United States could legally make such a distinction.

In a dissenting opinion which the anti-slavery forces printed and spread broadcast throughout the country, Justice Curtis showed that at the time

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the Articles of Confederation were ratified, free Negroes in no less than five states, including North Carolina, were not merely citizens, but were even included in the electorate. He recalled eight instances in which Congress had in fact prohibited slavery in the territories, in Acts which were signed by all the Presidents from Washington to John Quincy Adams.

Justice McLean, also dissenting, pointed out that in the Prigg case, the Court had decided that "slavery is limited to the range of the laws under which it is sanctioned". Justice Story had in that case declared for the Court, that "the state of slavery is deemed to be a mere municipal regulation". McLean stressed the inconsistency: in the former decision, the Court had held slavery to be local, not national; it now held slavery to be national, and not merely local. He referred also to the well-known fact that, in the early days of the Republic, slavery was believed to be a temporary institution, already on the path to extinction.

The Dred Scott decision aroused mass resistance to the entire judicial machinery. A few of many possible quotations from the press will show the temper of the people:

The New York *Independent*:

"If there be not aroused a spirit of resistance and indignation, which shall wipe out this decision and all its results, as the lightning wipes out the object it falls upon, then indeed are the days of our Republic numbered."

The New York *Tribune*:

"We propose to revolutionize the revolution. We intend to strike directly at the usurping power. That power is slavery."

James S. Pike, the *Tribune's* special correspondent in Washington, wrote that the opinion of the Court deserved "no more respect than any pro-slavery stump speech made during the late presidential canvas". Then, referring to the fact that the decision was, for the most part, superfluous, legally unnecessary, he went on:

"They [the judges—E.L.] were in hot haste to enter the service of slavery. They could not wait to be called. They hurried upon infamy."

The mass anger and resentment were reflected in state and national legislative halls. William H. Seward of New York attacked the decision in the United States Senate. The New York legislature adopted a resolution declaring that the Supreme Court had "impaired the confidence and respect of the people". Simultaneously, it passed an act to the effect that every Negro entering the state should be free. The legislature of Maine resolved that the extra-judicial portion of the Dred Scott decision was "not binding, in law or in conscience, upon the government or citizens".

At the time the Dred Scott opinion was rendered, a constantly increasing number of people, aroused to the necessity of barring slaves from the new territories, were sundering old political ties and perfecting the Republican Party as their instrument in the struggle. But if slavery could not be kept out of the territories, the new party was striving to accomplish an illegal purpose. Far from shattering the Republican ranks, however, the decision helped to weld the political union of all progressive groups and classes, against the overwhelming menace of the slavocracy.

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Abraham Lincoln, now rapidly coming to the fore as the leading figure in the fight against the extension of slavery, publicly charged collusion and conspiracy between the executive, legislative, and judicial branches of the government, on behalf of the slave-owners. Further, he denied the right of the Supreme Court to invalidate laws of Congress.

"If the policy of the government upon vital question affecting the whole people," he stated, "is to be irrevocably fixed by decisions of the Supreme Court, the people will have ceased to be their own rulers."

Lincoln quoted with approval a letter written by Jefferson in 1820:

"You seem to consider the judges as the ultimate arbiters of all constitutional questions—a very dangerous doctrine indeed."

It was Frederick Douglass, the escaped slave, the great orator of Abolition, who most clearly proclaimed the feelings and intentions of the masses:

"We can appeal from this hell-black judgment of the Supreme Court, to the court of common sense and humanity. You may close the ears of your Supreme Court to the black man's cry for ustice, but you cannot, thank God, close against him the ear of a sympathizing world."

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# THE SIGNIFICANCE OF THE SIT-DOWN STRIKE

BY WILLIAM Z. FOSTER

THE victory of the auto workers in their recent big struggle against General Motors definitely established the sit-down strike as a powerful weapon in the armory of the working class. In other countries there have been in past years many examples and varieties of the sit-down and stay-in strike. Among them was the famous strike of the Italian metal workers in 1920, when the workers occupied practically the entire metal industry. There have been also various stay-in strikes in China, Japan, Poland, and other countries, and, of course, the huge wave of sit-down strikes in France in the summer of 1936.

Nor has the United States been without early examples of this form of strike now so popular. Most famous of all such cases was the seizure of the steel plants of Homestead, Pennsylvania, by armed workers during their fierce struggle in 1892. Shortly afterward the metal miners in Telluride, Colorado, also occupied the mines in their neighborhood and engaged the troops in pitched battle. In following years there were also more or less rudimentary forms of the stay-in strike to be found in the tactics of the I. W.W., and it used to be the practice of the Chicago packinghouse workers, members of the Butcher Workmen's Union prior to 1904, to sit down and bring production to a standstill during the time when the business agents were in the respective departments adjusting grievances. These sit-downs, or stoppages as they were called, were very effective in speeding up the bosses to make satisfactory settlements of the grievances in question. There were, moreover, early traces of the sit-down strike in the auto and various other industries.

But why has the sit-down strike suddenly become so widespread with the workers? Obviously it is not because some inventive worker has suddenly discovered this form of strike. The explanation is not so simple. The real reason is to be found in a whole complex of circumstances and developments which have now come to a head. Behind the eager grasping of the workers at the sit-down strike is a long story of the growth of giant monopolies, of intensified exploitation of the workers and of complete defeat of all attempts of the workers to secure redress of their grievances through the traditional craft unions, with their haphazard organizing campaigns, one-horse strikes, and milk-and-water policies. Fierce exploitation, brutal re-



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pression, speed-up, low wages, unemployment, etc., have in recent years made the workers more and more militant, particularly in such high speed industries as rubber and auto, and made them ready for action. So that when the occasion presented itself they seized upon the method of the sit-down strike, with the results we have seen. The organization of the mass production industries produces not only the new organizational structure, industrial unionism; but also a new strategy, the sit-down strike.

The decisive factor in releasing the mounting discontent of the workers into the special form of the sit-down strike is political in character. The workers, together with other toiling masses, succeeded in administering election defeats to the great capitalist interests; first, in the rejection of Hoover in 1932 and especially in the defeat of Landon in 1936. These victories gave the workers a new confidence and sense of political power. It is significant that almost immediately after the inauguration of Roosevelt in 1933 a great wave of strikes began to get under way, and it was not long until, among these struggles, the sit-down strike began to make its appearance in the packing (1933), the rubber (1934) and other industries. This strike movement, including the sit-down aspects of it, was the workers' registering of their growing feeling of strength, particularly their newly realized political power.

Far more than following the 1932 elections, the workers felt a strong sense of political power after the defeat of Landon in 1936. The issue had been more clearly drawn in the 1936 elections; the class line-up was much sharper. So, naturally, when the workers, farmers and petty-bourgeois masses dealt such a heavy blow to the united forces of Wall Street, they became infused with a strong sense of victory. As never before they felt that they had a stake in the government. Many in a large measure came to look upon the Roosevelt government as their friend. Concretely, they did not believe that this administration would use the usual methods of terrorism against them to buck their strikes. Thus the groundwork was laid for more advanced forms of economic and political struggle. The whole fight advanced to a higher plane. A wide development of the sit-down strike was one result. Especially has the sit-down strike tendency grown after the inability of the employers effectively to use the armed forces of the state against the auto sit-down strikers.

It is significant that the Italian seizure of the plants in 1920 took place after great political victories by the workers, at a time when the capitalist government was paralyzed and the army and police could not be used by the capitalists against the workers, and also that the great wave of strikes in France developed immediately following the great success of the Popular Front. The victory of the French sit-down strikers was not without its repercussions in this country; but in the first instance, the development of the sit-down strike in the United States is a major sign of the awakening political consciousness of the American working class. It is a basic indication of the politicalization of the workers' struggles.

In the auto strike the workers did not carry out the occupation of the

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factories in a revolutionary sense. They did not, in the mass, consider their sit-down holding of the plants as a forecast of the eventual revolutionary expropriation of the automobile kings. Instead, they conceived of the sit-down strike only as a very effective means to accomplish their immediate demands of union recognition, wage increases, etc. Nevertheless, the auto sit-down strike constituted a much sharper challenge to bourgeois property rights and capitalist state domination than does the usual type of strike. It was also a far more significant assertion of the workers' right to their jobs and to control over the machines and factories. The auto workers' bold "trespass" on company property, their flouting of repeated court injunctions, their militant repulse of police attacks, etc., all required a much higher militancy and more developed class feeling than does the ordinary walk-out. And by the same token, the strikers' dramatization of these advanced class qualities in the strike served as a real object lesson and stimulant to evoke corresponding higher class sentiments among the great masses of workers in other industries. The auto sit-down strike marks an important stage in the developing class spirit and mass movement of the American workers. It was a significant lesson in their revolutionary education.

The effectiveness of the new sit-down strike was made so clear in the auto situation that all the world could recognize it. Small wonder then that the General Motors strike was followed by sporadic outbursts of sit-down strikes all over the country. The United Automobile Workers of America, a new, weak, and undisciplined union, containing in its ranks only a fraction of the employees of the General Motors Corporation, was able, by its sit-down policy, completely to paralyze the whole General Motors production and to force this giant corporation to swallow its own previous warlike, open-shop declarations and to grant union recognition. This was a major victory, a blow in the face to great trustified capital generally.

In his article in the March issue of *The Communist,* W. W. Weinstone, Communist Party Secretary in Michigan, gives a valuable analysis of the special advantages of the sit-down over the walk-out and shows how the new method achieved victory. It is not my purpose to dwell here upon this phase, beyond saying that through their actual sit-down occupation of the factories the auto workers were able to checkmate three of the greatest strike-breaking weapons of the employers: the scabs, the courts and the police. Hence, success was theirs. All told, of the 150,000 workers made idle by the strike, only some 50,000 were actual strikers, and of these much fewer were actual sit-downers. Had it been a regular walk-out (instead of a sit-down) involving as it did only one-third of the workers, the winning of this strike would have been much more difficult, what with the strikers more exposed to strike-breaking, police attacks, court injunctions, etc.

Can the new sit-down strike be used in all industries, or is its application restricted, for technical reasons, only to certain industries? An answer to this question is to be found in the widespread use the workers are now making of the sit-down in many industries as diverse as watch-making, steel plants,

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building service, printing, coal mining, shoe-making, department stores, restaurants and automobile production. It may be safely concluded that the sit-down strike is applicable to all, or nearly all industries. But it cannot be applied mechanically and in blue-print fashion everywhere. The forms and methods of the sit-down strike will vary from industry to industry according to the specific conditions, even as does the walk-out. The walk-out strike of the coal miners, for example, is industrial in character and usually national in scope, and it differs radically from, say, the characteristic local craft strike in the building trades. And from place to place and industry to industry the sit-down strike will show similar variety in its application.

Manifestly, certain industries are more vulnerable to the sit-down strike than others. It seems clear that, from a technical standpoint, the highly strategic public service industries, such as railroads, telegraph, postoffice, electricity, telephone, radio, etc., are highly sensitive to this form of strike. In general, also, the fabricating industries, those turning out highly specialized products for the market under mass production conditions, will prove more vulnerable to the sit-down than are the basic industries producing raw or semi-finished materials. Thus the automobile industry is more sensitive than steel.

Consider General Motors for example: It is made up of a group of greatly specialized plants, all fitting together like cogs in one machine to produce a few very individual types of automobile. Put a few parts of this delicately adjusted mechanism definitely out of action by a firm sit-down strike backed by mass support and the whole machine is disrupted and paralyzed. But take, say, the United States Steel Corporation, and it is quite a different matter. This concern's major products—rails, sheets, tubes, plates, wire, etc., are much more of a general character and much less individualized. The process producing them is made up of a chain of separate mills making the same commodity, rather than one integrated mechanism as in the auto industry. Hence, were United States Steel production to be stopped by a sit-down strike at a given strategic point, it would be a much easier matter to transfer the affected production to another mill or even to another company than it is in the case of the highly specialized, individualized and integrated products of the General Motors Corporation. The same principle applies in various degrees to the production of coal, lumber, and many other raw and semi-finished materials.

Another elementary factor making the sit-down strike more effective in fabricating plants is the threat of a boycott that such a strike precipitates in these industries. Under present conditions, United States Steel would have nothing to fear in the shape of a mass boycott of its rails, plates, tubes, etc., in case it violently suppressed a sit-down strike. But it would be quite another matter with the General Motors or other manufacturing companies which have to sell their popular-priced products to the general public. What, for example, would have happened to the reputation of the cheap Chevrolet car if the Flint strike had been drowned in the workers' blood? More or less of a boycott would surely have developed against it. During their recent strike,

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fear of such a boycott, no doubt, was much in the minds of the General Motors chiefs (particularly in view of the strong competition in the automobile industry). But the steel barons would hardly need to give the boycott a thought in attempting to violently crush a sit-down strike in their industry.

The conclusion to be drawn from all this is not that the sit-down strike is inapplicable to the basic industries, but that in these industries it must take on special forms. In such basic industries, the sit-down strike, with less sensitive key spots to hit, will tend to take on necessarily more of a broad mass character than in the fabricating industries. It will also probably display more dramatic and militant features.

Does the sit-down strike render the traditional walk-out strike obsolete, as some are now saying? The answer to this is, *no!* On the contrary, the sit-down should be considered as an extension, a development of the walk-out. Where it can be used, the sit-down is a sort of front-line trench of the walk-out, a salient drive into the line of the enemy. And as it ordinarily constitutes a very exposed salient facing the heaviest fire from all the forces of the employers, it must necessarily be supported by the organization and strategy of the mass walk-out. Inasmuch, as in war, there is always a grave danger of the sit-down strike salient being pinched off by the strong attack of the enemy, the workers must be prepared if necessary to meet this emergency by a strategic retreat instead of a disordered flight. In such a contingency, if the sit-down strikers are driven out of the plants by the violence of the employers and the state, care must be used so that this does not break the strike by having in readiness a solid line of defense to fall back upon: the picket lines around the plants.

Nor does the sit-down strike obviate the necessity of mass organization and struggle. In some quarters there is the thought that by use of the sit-down strike a bold and daring minority of workers, paralyzing a key point, can cripple a whole industry and thus make unnecessary strike action by the broad masses of workers in the industry as a whole. But this is a grave error, and if persisted in is bound to lead the workers to costly defeats. The reality is that just because of its very effectiveness (and hence the opposition it provokes from the class enemy) the sit-down strike requires the support of mass organization in the highest measure. Just as in military war a salient driven into enemy territory has to be supported with all available resources, so does the sit-down strike require the solid backing of labor's heavy forces. We must avoid falling into a new form of the craft union illusion that strikes in basic industries can be won simply by the action of small bodies of strategically placed workers: in the one instance by strikes of skilled mechanics, or, in this case, by crippling key industrial points by small sit-down strikes.

To carry through the sit-down strike effectively requires higher, not lower, forms of mass organization. To begin with, those portions of the workers that actually occupy given plants, even if they constitute a minority of all strikers, must themselves have a most elaborate organization and discipline. This must cover problems not only of feeding, sleeping, education, picketing, entertainment, but also very active meas-

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ures of defense against attacking forces of police and gunmen. And, besides this, the sit-down must be backed up by the masses outside the sit-down plants with picket lines, demonstrations, relief and defense, and publicity work, etc., to keep the rest of the industry closed down, to prevent the influx of scabs, to mobilize public opinion, etc. Moreover, the carrying through of the sit-down strike raises the issues of working class political organization and struggle in very sharp form, the success of the sit-down strategy depending so much as it does upon the issue of who controls the local and state government forces and hence, whether or not they can be used violently to eject the sit-downers from the plants. The sit-down strike movement thus places still sharper the question of organizing the Farmer-Labor Party and the broad People's Front.

The sit-down strike must be used as a stimulant to create mass working class organization and struggle on both economic and political fields and not as a substitute for it. It is true that up till now the sit-downers have won rather easy victories in most cases. But this is due to the fortunate combination of the rising militancy of the workers, the increasingly favorable industrial situation, the evident confusion of the employers in the face of the new sit-down strategy, and their inability so far to use the state forces effectively against the unions. But we may be sure that when the employers dig themselves in and really begin to fight the sit-down strike, that its successful application, precisely because of its paralyzing power, will require a higher degree of consciousness and organization by the workers than the traditional walk-out. The very weakest phase of the Flint sit-down strike (and the thing that at times seriously threatened its defeat) was exactly the fact that the sit-downers were not actively supported by a strongly organized majority of the automobile workers.

The sit-down strike is a splendid means of developing trade union organization and raising the political consciousness of the workers. This has already been amply demonstrated by the experience to date. And precisely because of this fact, we can be sure that the employers will use every means at their disposal to knock this new and powerful weapon from the hands of the workers. We have seen how long and hard they have fought against the workers' right to the walk-out strike, and we must be prepared for the bitter struggle they will make against the workers' use of the still more dangerous sit-down strike.

Already as I write this the capitalists and their allies, deeply alarmed over the outcome of the General Motors' strike, are beginning to go aggressively into action against the sit-down strikers. Typical of their attitude are Governor Hoffman's threats of violence and bloodshed against the C.I.O. Oceans of hostile propaganda against the sit-down strike; sweeping injunctions, mass arrests and tear gas attacks against the sit-downers; legislation to outlaw the sit-down strike as trespass and illegal seizure of property; reorganization and fortification of industrial plants, and various other forms of attack and defense, indicate the vigorous resistance that the employers are going to make to prevent the establishment of the sit-down strike as a recognized method of working class struggle.

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This anti-sit-down strike campaign dovetails into the efforts of the employers generally to kill the growing militancy of the trade union movement. Fearing that the C.I.O.'s campaign to organize the mass production industries will succeed, and alarmed at the prospects that they will have to face a much more strongly entrenched and aggressive labor movement, the employers through their organizations generally are definitely aiming at hamstringing this future militant movement by trying to inflict upon it such spirit-destroying devices as compulsory arbitration, state incorporation of unions, etc. Such was the strategy used by the British employers after the general strike of 1926, and this was also the means employed by the American railroad barons to take the punch out of our railroad unions after the big national strike of the railroad shopmen in 1922. To destroy the militancy of the trade union movement is the purpose of the flood of articles now to be found in the capitalist press about the blessings of a "strikeless England" and the methods used to bring this condition about.

All this thrusts upon the workers the necessity of a stern fight to establish the practice of their sit-down strike. The way for the masses to do this is to apply the sit-down on the widest possible basis. Especially is the fullest advantage to be taken of the present favorable conditions; the workers' militancy and sense of victory, the improved industrial production, the advantageous political situation and the partly defensive position of the employers. To legalize the sit-down strike the workers must sit down far and wide in industry, backing up this action with the necessary economic and political measures indicated above.

The C.I.O. should give all encouragement to the sit-down strike movement, because it has shown itself to be a powerful stimulator to the organization of the unorganized. As for the A. F. of L. officialdom, it is clearly a barrier to the movement. The A. F. of L. leaders, characteristically fearful of all rank-and-file militancy, and true to their instinct as capitalist toadies, have already condemned the sit-down strike; first by John P. Frey's open denunciation of it as a device of Moscow, and later by William Green's hypocritical move to "study" the whole question. Nor can the Roosevelt government and its branches in the various states and cities be depended upon to sustain or even tolerate sit-down strikes. President Roosevelt and Governor Murphy of Michigan wobbled very badly on the auto strike, and the workers managed to stick in the Flint plant only in the face of much adverse pressure from both the state and national governments. It was chiefly the fear of a serious discrediting of the whole Roosevelt regime that prevented Governor Murphy from ousting the sit-downers by force.

The Communist Party should, of course, lend every assistance to the sit-down movement, both by practical organizational measures and political guidance. The Party must make the question of organizing the unorganized its main mass slogan. It should mobilize all its forces in the national unions, local lodges, and central trades councils to stimulate organization work on every front and in every industry. In the various organization campaigns the Communist Party should urge the

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adoption of the sit-down strike wherever practicable, being careful to see that this form of strike is used in a disciplined manner, that it is supported by a solid mass movement of the workers generally in the given industry and that it is followed up by persistent campaigns of trade union organization. The Party should also strike to induce the A. F. of L. craft unions to use the sit-down strike, and it must make use of the growing strike sentiment generally to strengthen unity tendencies between the A. F. of L. and the C.I.O. and defeat the latest splitting tactics of Green and Frey. And without fail, the Party must make clear to the workers the full political implications of the sit-down strike, and utilize the growing consciousness of the workers to further the formation of the Farmer-Labor Party.

The sit-down strike movement is giving a great stimulus to trade union organization and to the political organization of the working class. It is infusing the masses with fresh hope, inspiration and fighting spirit. It is enabling them to deal heavy and successful blows at their worst enemies, the great trusts. The task of the Communist Party, therefore, is to develop this powerful weapon of the sit-down strike to its maximum possibilities. The sit-down strike will be, in the next period, one of the major dividing issues between the forces of progress and reaction in the United States.

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# THE PACIFIC COAST MARITIME STRIKE

BY WILLIAM SCHNEIDERMAN

THE Pacific Coast maritime strike came to an end in victory after ninety-nine days of unexampled solidarity, organization and discipline on the part of 40,000 seamen and longshoremen. The Maritime Federation of the Pacific, born out of the great 1934 strike, went through its greatest test of strength in a struggle which in many ways broke all precedents of previous strike struggles. The gains won by the maritime unions in 1934 were maintained during the past two years only by a bitter and unrelenting struggle against repeated attempts of the employers to find an entering wedge with which to break the unity of the seamen and longshoremen, and the rank-and-file control of the unions. The strike was only the climax of a long series of struggles in which the shipowners were girding themselves for a major offensive to smash the maritime unions, which was to begin with a coastwide lockout by the shipowners on last September 30, when the 1934 arbitration awards expired.

For this purpose, the employers had gathered an enormous war chest, through a voluntary tax levied on their profits, with the intention of entering into a long and protracted struggle, a sort of endurance contest, by which they hoped to starve the workers out, and drive them back to work on the shipowners' terms. Because the role and influence of the Maritime Federation were having a far-reaching effect on ever wider sections of the labor movement on the Pacific Coast, and upon the seamen and longshoremen of the Atlantic and Gulf Coast ports, the Waterfront Employers' Association had the backing of powerful, reactionary open-shop interests such as the Industrial Association of San Francisco, the Merchants & Manufacturers' Association of Los Angeles, the Chambers of Commerce, and the big Eastern shipping interests.

A number of provocations were organized during 1935 and 1936 by the employers, directed mainly at the militant longshoremen of San Francisco, in an attempt to create a split between them and the rest of the Pacific Coast district of the I.L.A., which was under a reactionary district leadership until last summer. Thus was framed the lockout in the fall of 1935 over Vancouver "hot cargo", and the second lockout in the spring of 1936 over the "Santa Rosa" incident. In each case the employers were forced to retreat when they met a solid united front of the Maritime Federation. They were also unsuccessful in their efforts to create a rift between the seamen and longshoremen, when Scharrenberg and the whole I.S.U. official-



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dom heeded the demand of the shipowners and revoked the charter of the Sailors Union of the Pacific.

The shipowners prepared themselves, therefore, for their big offensive on September 30. All shippers stocked up great quantities of goods in warehouses well in advance. They attempted to mobilize all business interests behind them, frightening them with talk about the "I.L.A.'s march inland", pointing to the organizing drives among warehousemen, teamsters, and numerous other industries, directly or indirectly influenced by the Maritime Federation. They pointed to the "radical influences" beginning to make themselves felt in the San Francisco Labor Council. And, above all, they raised the specter of the San Francisco General Strike of 1934.

For the maritime unions, however, this was not merely a defensive struggle to maintain their unions and the gains they had made in 1934; it was turned into a counter-offensive by the unions, with far-reaching consequences on a national scale, which resulted not only in new and decisive gains for the Pacific Coast unions, but for the maritime unions on the Atlantic and Gulf Coasts as well, where the rank and file, particularly among the seamen, are making rapid strides in winning control of their unions, thus paving the way for the eventual building of a National Maritime Federation.

This victory was not possible in 1935, mainly because of the reactionary policy pursued by the Ryan-controlled district leadership of the I.L.A., which was still in the saddle at that time. When the first year of the 1934 award expired, the Lewis-Morris clique advocated renewing the agreements without any changes, and this was accepted by the I.L.A. membership, because they had won comparatively favorable conditions. The seamen, however, had made relatively smaller gains, and had a number of burning grievances and demands. But when they made these demands in September, 1935, the shipowners could afford to reject them arrogantly without even a hearing, because the I.L.A. had already renewed their agreement for another year. Unfortunately, some of the syndicalist elements in the leadership of the Sailor's Union attempted to use this to incite the seamen against the longshoremen, overlooking the fact that it was not the I.L.A. membership who were to blame, nor the progressive leadership of the San Francisco longshoremen, which was challenging and fighting the reactionary Ryan-Lewis-Morris machine.

It was only when the progressives won a sweeping victory last year, and took over the district leadership of the I.L.A. by a referendum vote, that it was possible really to use to the fullest extent the power of the I.L.A. to back up the rest of the Maritime Federation. The solid front presented by longshoremen and seamen in the recent strike, which made possible a successful struggle for the seamen's most important demands, was brought about through a solidarity pact reached at the 1936 convention of the Maritime Federation. This laid the basis for joint action of all unions in seeking amendments and improvements in the agreements which expired September 30, 1936. It was at the initiative of Harry Bridges that the I.L.A. District Convention voted to seek amendments to the longshoremen's award, and it was

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Bridges and the other I.L.A. progressives who proposed the policy of joint action which was adopted by the Maritime Federation Convention last year.

When the seven maritime unions voted overwhelmingly in the summer of 1936 to seek amendments to the 1934 awards, which expired September 30, the shipowners were confronted for the first time with a solid united front which backed up the union's demands with the threat of a general maritime strike.

They could not ignore the seamen's demands as they did in 1935, when the longshoremen's district leadership of Paddy Morris (under Ryan's thumb) had already renewed their agreement for another year. This time the employers were confronted with the demands of the I.L.A. as well, and knew that the longshoremen of the Pacific Coast District were prepared to support the seamen's demands with solidarity action. They were also confronted with a rising tide of militant rank-and-file sentiment among the seamen of the Atlantic and Gulf Coasts, who were revolting against the sell-out agreements that were forced upon them by the reactionary I.S.U. officials.

The shipowners countered the unions' demands with a cynical and arrogant demand that the workers return to the conditions existing prior to the 1934 strike, and the threat of a lockout on September 30. They proposed to abolish the union hiring hall and preference of employment for seamen and longshoremen alike; they wanted the longshoremen to give up the six-hour day and return to the eight-hour day; they rejected completely the seamen's demands for cash overtime pay and increased wages, and the eight-hour day for cooks and stewards. They announced that unless the workers would accept these conditions or arbitrate they would start "hiring off the docks" after September 30, which meant a coastwide lockout. It was a virtual declaration of war, for which the shipowners had prepared for two years since the 1934 strike.

How did the employers expect to carry through their offensive against the unions? Their main strategy was to attempt to undermine the unity of the Maritime Federation, splitting away the longshoremen from the seamen, or vice versa. That is why, at one time, they even offered the longshoremen a renewal of their agreement for one year, but the I.L.A. refused to bite at the bait, as long as the seamen's demands were rejected.

The employers also expected to use the Ship Subsidy Act and the Copeland "Safety-At-Sea" Act, effective December 26, 1936, as a club over the heads of the seamen. By the first, to establish wages and working conditions through the arbitrary powers of a Maritime Commission controlled by the shipowners' lobby; by the second, to institute a blacklist system through a compulsory Continuous Discharge Book (the Copeland "Fink" Book) and a Certificate of Efficiency. The intent of the shipowners was clearly seen in September, when they unsuccessfully attempted to use the Maritime Commission to force arbitration on the unions.

Third. the shipowners hoped that a Landon victory in the presidential elections would strengthen their hand, and make it possible for them to proceed in their plans to smash the maritime unions once and for all. How

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much they miscalculated in this respect is well known. The attempt to raise a "Red scare", the spreading of alarmist reports of "food shortages", and their vain attempts to stir up public sentiment against the unions and the strike, were answered by the crushing rebuke given to reaction on November 3.

The strong support of the labor movement and the middle classes to the union's cause, the solidarity of the whole Maritime Federation, the sympathy and support of the seamen of the Atlantic and Gulf Coasts, and the mass pressure exerted on the federal government by the unions and their supporters, were felt in the shipowners' ranks and almost caused a break in their "united front", the Coast Committee of Shipowners, headed by the notorious union-hater, T. G. Plant. At one time the Eastern and foreign lines, and the steam schooner operators, were on the verge of giving in to the union's demands. But they were held in line by the "Big Three" of the Pacific Coast, the American-Hawaiian. Matson, and Dollar Lines. The unions, after two postponements in the hope of forcing the shipowners to reach a peaceful settlement, overwhelmingly voted to strike for their minimum basic demands and close to 40,000 men went on strike on October 29, followed by the solidarity action of thousands of East Coast seamen.

The organization and conduct of the strike would require an article in itself. The capitalist press facetiously called it a "stream-lined strike". The admirable organization and discipline; the efficient apparatus for relief, picketing, publicity and workers' police; the use of mass demonstrations, parades, huge mass meetings, radio, pulpits, billboards, literature, etc., to bring the strikers' case to the entire Pacific Coast and the whole country, were an example to the entire labor movement. Directly or indirectly this influenced the organization of a number of other effective strikes (shipyards, warehousemen, textile, etc.). From the first to the last of the ninety-nine days, the strike was 100 per cent effective on the Pacific Coast.

An example of the support to the strikers can be seen in the report that the San Francisco Joint Strike Committee collected over $60,000 and for the entire Pacific Coast the figure was probably well over $100,000. It was this wholehearted support of organized labor, as well as the strikers' firm solidarity, that prevented the shipowners from attempting to carry out their threat to bring in strikebreakers, and precipitate another "Bloody Thursday". The specter of the great San Francisco General Strike was what held the shipowners back. Every attempt of the employers to stir up a vigilante atmosphere, ably assisted by Mayor Rossi of San Francisco and Governor Merriam, was defeated. An attempt to arouse the farmers for a "mass march" to the waterfront to unload cargo failed. An attempt to recruit Negroes for strikebreaking failed. And an attempt to provoke violence on the part of shipowners' thugs headed by a former Ryan lieutenant, Lee Holman, was effectively stopped by militant longshoremen. And finally, desperate attempts to arouse a "Red scare", by a violent attack on Bridges and Curran by Mayor Rossi and the shipowners over nationwide radio hook-ups, and by daily press statements and full-

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page advertisements, were inglorious failures.

During the course of the strike, a number of sharp differences within the unions' ranks came to a head and resulted in an open struggle which the capitalist press and the employers interpreted as a split in the Maritime Federation, although their fond hopes did not materialize. These differences on the matter of tactics arose out of the policies and tendencies of syndicalist elements whose position was supported by Harry Lundeberg, secretary of the Sailors Union of the Pacific. The Trotskyites tried to accentuate these differences and drive for a split, but the rank and file rejected their provocative attempts by adopting policies that enabled them to remain united throughout the strike.

These differences did not arise just recently. As far back as 1935, they were reflected in Lundeberg and other militant rank and file, in the main sincere elements, who were strongly influenced by syndicalist tendencies, but had the typical I.W.W. approach regarding "economic action as opposed to political action". Lundeberg advocated a "job-action" policy which seriously threatened the unity of the maritime unions in that it often led to individual walkouts of sailors without consulting the rest of the crew (firemen, cooks and stewards, licensed men), or the longshoremen who might become involved. While, at a certain stage of the struggle, "job-action" was invaluable in forcing the shipowners to live up to the agreements they were violating, or to correct grievances on board ship, it was also true that the indiscriminate use of "job-action", especially when used to raise basic demands (such as the six-hour day) which could only be won by a major strike action, threatened the position of the unions, seamen and longshoremen alike, and often unnecessarily gave weapons into the hands of the shipowners to carry on their war against the Maritime Federation.

Continuation of this "job-action" policy finally resulted in a virtual lockout of all crafts by the shipowners, when over sixty steam schooners were tied up early in 1936 over the demand for the six-hour day and overtime pay. It was this incident that the shipowners seized upon to demand of the Scharrenberg clique at the I.S.U. convention that they revoke the charter of the Sailors Union, and the I.S.U. officialdom promptly proceeded to carry out the shipowners' demands.

Since the convention, Lundeberg has continued his fight against the policies of what he calls the "political clique" and has indulged more openly in Red-baiting, of which he had often been the victim and the target in the past.

During the strike itself a number of discussions arose on tactics in the conduct of the strike. The strike apparatus was so organized as to give the maximum amount of rank-and-file expression. Practically every important question that came before the strike leadership was also discussed by the membership. Every one of the seven unions had its own elected strike committee. The I.L.A. Strike Committee of Local 38-79 consisted of nearly 250, including about 200 dock and gang stewards, the best example of rank-and-file control. In each port the District Councils of the Maritime Federation, consisting of delegates from each

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union, were enlarged with additional delegates from each union to make up the Joint Maritime Strike Committee of each port. For coordination on a coastwide scale, the negotiating committees of the seven unions formed a Coast Policy Committee which made recommendations to the Joint Strike Committees of the various ports. The Joint Strike Committee of the San Francisco Bay Area, of which Harry Bridges was the chairman, had the most decisive role in relation to the other ports and, because of the predominance of progressive and militant elements, had the most consistent policy. San Pedro, Seattle, and Portland, on the other hand, while in the main following a policy approved by the rank and file, nevertheless were strongly influenced at times by reactionary elements, many of them discredited officials who had managed to creep into the strike apparatus. As a result, these reactionaries aligned themselves with the syndicalists and were often able to block the adoption of a coastwide policy, as proposed by San Francisco, which resulted in delays and confusion, and sometimes led to the adoption of conflicting policies in different ports.

Such a situation developed over the question of "perishable cargo". The shipowners had raised a big howl over the destruction of perishable cargo unless it was immediately unloaded, and the capitalist press made much capital out of this. The San Francisco Joint Strike Committee decided that where there was a genuine danger of great losses of foodstuffs, or other "perishables", it would agree to unload that portion of the cargo. In each port this amounted to very little and, as a matter of fact, the shipowners did not avail themselves of the offer, once their proaganda about "destruction of perishables" was disarmed by the unions' offer. But the same elements who during the strike became super-militant to the point of provocation opposed the policy of unloading perishable cargo. As a result, a serious situation was precipitated in San Pedro (the famous "banana" incident), where the employers tried to whip up a vigilante atmosphere to break through the picket lines and have armed deputies unload bananas with an injunction from a federal court. The San Pedro strikers rallied splendidly and stood firm in the face of this threat; but they had been confused by some of their leaders who had distorted the proposals of San Francisco, and were carrying on a continuous anti-Bridges campaign. In the face of this federal injunction threat, Bridges proposed to the Coast Policy Committee to suspend all consideration of moving perishable cargo until the injunction was withdrawn. The shipowners and the federal courts had to back down, but it was no fault of the Red-baiters that the head-on clash which they nearly provoked was averted. As the strike went on, practically all ports agreed to move some perishable cargo.

The "perishable cargo" issue was only one aspect of the tactics used by the strike leadership to win the support not only of organized labor but the great mass of unorganized and the middle class elements. Learning from the lessons of the 1934 strike, the unions did everything in their power to counteract the powerful press and radio propaganda of the shipowners, and to win support or at least neutralize small businessmen, farmers,

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churches and civic organizations, etc. In the tremendous publicity program of the strikers, the Communists and their sympathizers played the most active part. The syndicalists sneered at all this, and either ignored or sabotaged the publicity program; and the Trotskyites sneeringly referred to it as "making a fetish of the public". When the Trotskyite Barney Mayes was editor of the *Voice of the Federation,* the Strike Publicity Committee was unable to get space in the *Voice,* and finally had to buy space, editing its own page or special edition of the *Voice.* The irresponsible wrecking work of this Trotskyite can be seen from the fact that official statements issued by the Strike Committee or Publicity Committee were published, when at all, under the caption "The Editorial Board is not responsible for the following". The publicity program of the unions won a tremendous amount of sympathy and support on every hand; it prevented the organization of vigilante gangs; it created a perceptible weakening in the ranks of the shipowners by the middle of December, and the "Big Three" were having greater difficulties in keeping the other operators in line. They therefore devised a new means of breaking the morale of the strike, and Lundeberg and Ferguson walked into the trap of the shipowners.

The shipowners began direct negotiations with Lundeberg, the secretary of the Sailors Union, and Ferguson, acting secretary of the Marine Firemen's Union (replacing Earl King, who was in jail on a framed-up murder charge). In the past all negotiations had been carried on with the entire Negotiating Committee of each union, and the other unions were informed of progress. Finally, a tentative agreement was reached which met a few of the basic demands of the unions, but nevertheless had a number of clauses of such a dangerous character to the union and its membership that even the Negotiations Committee and the Strike Committee of the Sailors Union, made up mainly of Lundeberg's closest supporters, refused to recommend it to the membership. But, most important of all, Lundeberg and Ferguson had mistakenly agreed with the shipowners to recommend it to the membership, *without any modifications,* and to ask for an immediate referendum vote.

The principal objection to this was that it would lead to the membership taking a separate referendum vote to accept the agreement, when five of the seven unions had not yet had negotiations with the employers. (The I.L.A., the largest union, making up nearly half the membership of the Maritime Federation, had purposely held back to the last, and refused to enter into negotiations until the seagoing crafts had won some satisfactory concessions.) Such a separate referendum vote would have created a wide open split, broken the morale of the strikers, and made impossible the winning of any demands for the licensed personnel, the marine cooks and stewards, or the longshoremen. Armed with tentative agreements with the Sailors and Marine Firemen, the shipowners could have dictated their own terms to the other unions, and any union that would refuse would be accused of "blocking peace", thus creating enough pressure on them to finally give in.

Great confusion was created in the

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ranks of the strikers when, on December 17 (seven weeks before the conclusion of the strike), the *Voice of the Federation* carried a headline "Strike End Looms", followed by a story which inferred that the tentative agreements reached by the two unions practically ended the strike. The shipowners and the capitalist press issued statements that the strike was over. Then began the most critical struggle in the strike, one which put to a severe test the unity of the Maritime Federation.

The Communists and all other honest, progressive forces in the strikers' ranks carried on a fight against the immediate acceptance of the agreements and pointed to the danger of a separate referendum vote. They also took the position that while the tentative agreements had won some concessions, amendments should be made to the doubtful clauses to strengthen the agreements.

Federation membership meetings of all strikers in each port repudiated the policy of a separate referendum vote, and endorsed the policy of Bridges. Meanwhile, the indignation of the whole membership was aroused against the disruptive role that the Trotskyite Barney Mayes played on the *Voice* and, under the pressure of resolutions and denunciations from every port, the Editorial Board was reluctantly forced to fire Mayes by "accepting his resignation". (They later "exonerated" him, and renewed their attempts after the strike to put him back on the *Voice*.)

It was during this critical period of the strike, when a split was narrowly averted, when the shipowners and the capitalist press were screaming "Bridges Blocking Peace" and publishing full-page advertisements that the Communists were holding up a settlement of the strike, that the Trotskyites played their most shameful and despicable role. The *Socialist Call* and *Labor Action,* Cannon's West Coast "Socialist" organ, carried on a bitter and unscrupulous campaign of attack on Bridges and the Communist Party, and in praise of Lundeberg's policy and the tentative agreements. The Trotskyites issued bulletins in the name of the Socialist Party calling Bridges a "stooge of Stalin", "Selling out to Roosevelt", "Ryan agent", etc., ad nauseum. The *Socialist Call* suddenly "discovered" the maritime industry, and began to give sage and expert advice, that the Maritime Federation was "an outmoded, craft, form of organization" which was standing in the way of "real industrial unionism", of which Lundeberg was the "only" champion. These, together with the sharp discussion on policies that was taking place, were seized upon by the shipowners and the capitalist press who hailed a "split" in the Maritime Federation. But their joy was premature. Once the issues were made clear, the rank and file rallied as one man behind the policies of the strike leadership, repudiated the Red-baiting attacks, denounced the policy of separate referendum votes, and cleared the way for the other unions to enter into negotiations with the shipowners, when the latter found that their maneuver had failed.

There is no doubt, however, that although the policy of unity won out in the end, the shipowners' maneuver and Lundeberg's falling into their trap prolonged the strike for a number of weeks, and took away the possibility

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of winning additional important concessions on the part of the unions of licensed men (radio operators, marine engineers, and masters, mates and pilots), as well as the sailors and marine firemen, and weakened the fight of the marine cooks and stewards for the eight-hour day, on which they had to compromise eventually. Nevertheless, the unification of the workers on the basis of a correct policy forced the shipowners, for the first time since the strike began, to enter into negotiations with the five other unions.

The last question which held up the final strike settlement was the fight against the Copeland Continuous Discharge Book and the Certificate of Efficiency. The Pacific Coast Maritime Federation and East Coast seamen had carried on such a determined struggle against these anti-union, blacklisting measures that the government was forced to postpone repeatedly the issuance of these books after the Copeland Act went into effect on December 26. But when, through the strikebreaking activities of the top leadership of the I.L.A. and I.S.U., Ryan, Hunter, Scharrenberg & Co., the effectiveness of the strike of Atlantic and Gulf seamen was seriously impaired, it became obvious that the same tactics could not be used in continuing the fight against the "fink" book, as would have been possible were the East Coast unions in as strong a position as those on the Pacific Coast. The government, the shipowners, and the I.S.U. officialdom carried on a combined drive to force the immediate acceptance of the Copeland book on the East Coast seamen, as soon as their strike was terminated.

The syndicalist elements on the Pacific Coast, the same ones who previously advocated a separate vote on the tentative agreements, began agitating for a continuance of the strike or "job-action" until the Copeland Act was repealed. They spread distorted rumors that the Communists advocated accepting the fink book, that Joe Curran has told the East Coast seamen to accept the fink book, and similar slanders. This propaganda again played into the shipowners' hands, and seriously interfered with the negotiations in progress. The shipowners issued statements to the effect that even if agreements were signed with the unions, another strike "against the government" would take place the following month against the Copeland Act. They used this as a pretext to stall in their negotiations with the I.L.A., and rejected some of the longshoremen's basic demands.

The issue came to a head on January 27, when, in a tense atmosphere, the Joint Strike Committee called a meeting of all strikers, and the heads of all seven unions appeared before 10,000 members. Bridges, the chairman, pointed out how disrupting the unity of the strike was playing into the shipowners' hands, and preventing a settlement when victory was in their grasp. He pointed to the dangers of an adventurist policy in regard to the Copeland Act; that after three months of struggle the strike must be concluded as quickly as the unions reached satisfactory agreement with the employers; that the fight against the Copeland book must be continued after the strike, by means of political action backed up by their economic strength; that the main question was to maintain strong, united unions and the Maritime Federation, without which

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the unions would have to accept not only the Copeland book, but eventually other pro-fascist legislation, compulsory arbitration, etc. He pointed out that strengthening and consolidating the unions nationally would strengthen the pressure on the government for modification of the bill and secure also sufficient strength to make possible effective economic action on a national scale if that became necessary.

The strikers practically unanimously endorsed Bridges' policy and the last obstacle to a successful termination of the strike collapsed. The shipowners, on hearing the results of the meeting, immediately capitulated, and that same night reached an agreement with the I.L.A., conceding their basic demands for a six-hour day and union hiring halls. The seven unions submitted their tentative agreements to a Federation vote, recommending their acceptance and the immediate termination of the strike. The vote carried overwhelmingly, and the great Pacific Coast maritime strike, which lasted for ninety-nine days, from October 29 to February 4, came to a victorious conclusion.

It is not possible within the scope of this article to deal adequately with the significance of the Atlantic and Gulf Coast seamen's struggle, and its relation to the West Coast. (See Roy Hudson's article in the March issue of *The Communist*.) Suffice it to say that for the first time the gap between the two coasts, in degree of organization and struggle and in solidarity, is rapidly being bridged as a result of their heroic fight against odds. The West Coast strikers did not sufficiently realize the importance of the East Coast struggle and the necessity of giving it full support. It must be admitted, however, that the Communists and other progressive forces working with them on a common policy sometimes failed or delayed to take the necessary steps to throw the full support of the West Coast unions behind the fight of the rank and file on the East Coast under Joe Curran's leadership.

Summing up the role of the Party in the strike, its main task was the *struggle for unity*, which was the key to the victory. Before and during the strike the Party mobilized all its forces to participate actively in every phase of the struggle. Every Communist Party member and sympathizer in the maritime unions participated actively in some phase of strike activity, whether on the picket lines, in the various committees for organizing relief, publicity, finances, picketing, and in the Joint Strike Committees in every port. But more important still, the tasks of the Communists and all progressive elements in the fight were to maintain unity between the licensed and unlicensed groups, between the seamen and longshoremen, and between the maritime strikers and the rest of the labor movement. On every question of policy, this was the main consideration. The strike was won because the fight for unity was successful, because the membership of the Maritime Federation, at every crucial point of the strike, was mobilized against every splitting maneuver and Red-baiting, and never allowed itself to be stampeded into a position where that unity was broken.

The spirit of solidarity spread far beyond the ranks of the maritime workers. It was evident not only in the

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tremendous financial and moral support of the shoreside unions, but in the slogan which has become a by-word in the San Francisco Labor Council: "Union men will never pass through a picket line". As a result, for over three months the teamsters, although under reactionary leadership, lived up to the great traditions of 1934 and refused to go through the picket lines not only of the maritime workers, but also of the striking warehousemen and the shipyards workers, contributing greatly to the successful conclusion of these strikes. It was also the influence of the maritime unions, together with other unions rapidly becoming progressive, which ousted Edward Vandeleur, notorious for his sell-out of the San Francisco General Strike of 1934, from the leadership of the Central Labor Council in the recent elections, and was instrumental in electing Harry Bridges and a number of other militants and progressives into leading positions in the Central Labor Council and State Federation of Labor.

But the work of the Communists and their progressive allies in the maritime unions had a number of shortcomings. Precisely because of the increasing influence of the Party among the workers, the old line reactionaries in the maritime unions, who have lain low for a long time because their policies were discredited, seize upon every difficult situation as a favorable opportunity to raise their heads and voices and, with the most unscrupulous demagogy, pose as super-militants at times, carry on an unceasing struggle against the progressive leadership, and seek to confuse the membership and discredit the Communists and other progressives in the unions and to sharpen the differences between progressives and other militant progressives still influenced by I.W.W. ideology.

We must avoid, however, a narrow sectarian approach; it would be wrong to lump these syndicalist elements, among whom are honest elements who are confused and misled, with the reactionaries. The Communists have too often allowed themselves to be provoked by Red-baiting into personal attacks, instead of sticking to discussion of policy in order to bring the issues clearly to the rank and file. For us the main issue is unity on the waterfront. Throughout the strike it was shown that once the issues were made clear to the membership Red-baiting and disruption were defeated. Only when the Communists were not able to raise clearly before the membership the issue of preserving unity on the basis of a correct policy, was it possible for such a policy to receive temporary setbacks in the Sailors Union and among some of the licensed men.

This requires patient and persistent work on our part. The fight for unity will not be an easy one. There are a number of difficult questions ahead, in connection with the coming I.L.A. District Convention in May, and the Maritime Federation Convention in June. The main question, of consolidating the gains and further cementing the unity of the seamen and longshoremen, requires vigilance against any adventurist policies. There are, for instance, weaknesses in the seamen's agreements which the shipowners may attempt to use against the unions, and the seamen will have to fight against these attempts; there may be recurring questions of "hot cargo"

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from the Gulf and from Vancouver, due to jurisdictional disputes arising out of the strike-breaking policy of Ryan, Hunter and Scharrenberg and the wholesale revoking of charters of rank-and-file locals. While mobilizing the maximum amount of support of the Maritime Federation for the struggles of the seamen, and of the Atlantic and Gulf Coast rank and file, the unions must be on guard against any adventurist actions which threaten the unity of the Federation or might precipitate a major struggle for which the unions might not be prepared. At the same time we must recognize the decisive importance of national policies that unite and strengthen the unions on a national scale.

The continuation and intensification of the fight for a National Maritime Federation are especially important now because of the possibility of re-establishing unity of the seamen on a national scale. The I.S.U. officialdom is in a precarious position because of the great advances made by the rank and file on the East Coast, and by the failure of Hunter and Scharrenberg to accomplish their splitting purpose on the West Coast when they revoked the charter of the Sailors Union of the Pacific. It is necessary to carry on a campaign for the convening of the I.S.U. convention, demanding the return of the Sailors Union charter and their participation with full voting rights in the convention, and for every possible assistance to the Atlantic and Gulf rank and file in consolidating their unions and in maintaining democratic control of their unions, and for the election, and for the seating of delegates elected by them with full voice and vote. Such a course will re-unite the seamen and prevent confusion developing around the question of "one big union".

Ryan met the growing sentiment for a National Martime Federation with a dishonest maneuver, announcing during the strike that William Green and the A. F. of L. Executive Council had agreed to form a Marine Trades Department of the A. F. of L. The San Francisco District Council of the Maritime Federation answered this quite correctly, when it declared it would welcome such a move, *provided it was a really all-inclusive federation of maritime unions, with full expression of the rank and file and democratic control of the membership to determine policies and the election of leadership*, and not a bureaucratic clique of top officials which would only sabotage the unifying of the maritime workers on a national scale. Green, Ryan and Hunter, of course, cannot be depended upon to build a genuine national maritime federation, when one remembers their shameful role in the strike.

From the first, the Party had to warn and fight against the strong illusions among the workers that Roosevelt was going to "crack down" on the shipowners, while at the same time calling for organizing mass pressure on the administration to "Stop the Ship Subsidies"! The campaign in the labor movement around this slogan undoubtedly had its effect on the administration, and did force some gestures from Washington. But it soon became clear to every striker that the "friendly gestures" of Perkins and McGrady would not win the strike, and that the administration did not exert all the powers it had to put pressure on the shipowners. In fact, at the very begin-

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ning of the strike, the U. S. Maritime Commission appointed by President Roosevelt became notorious for siding openly with the employers; since the strike, it has been revealed that the admirals on the Commission openly favored a company union for the licensed personnel of the seamen. Secretary of Commerce Roper and his lieutenant Weaver faithfully served the shipowners at every turn, in Red-baiting attacks on the unions. Assistant Secretary of Labor McGrady, who was sent to San Francisco for the first two months of the strike, described the strike as "sheer madness", and carried on a constant campaign for arbitration, although he could not always do this openly. The refusal of the unions to consider arbitration prevented the administration from yielding to the combined efforts of the shipowners, the Mayor's Conference, and the newspapers to force this on the unions. Since the strike, a dangerous move to force arbitration on the maritime industry, going even further than the Railway Labor Act which has been held up as a "model", was made in the form of a bill introduced into Congress which, in addition to compulsory arbitration clauses, is aimed directly at Harry Bridges under the guise of excluding non-citizens from representing the unions in collective bargaining. The whole labor movement must be aroused to fight against these anti-union strike-breaking measures.

The Party carried on a campaign among the strikers for a Farmer-Labor Party, linking up the maritime workers' struggles with the need for independent political action on a local, state, and national scale. During the election campaign, it used every possible opportunity to broadcast its position on the radio, dealing with the political aspects of the maritime strike, in San Pedro, Los Angeles, San Francisco, and Seattle. Only one such broadcast was suppressed in San Francisco, and that was the widely-advertised address of Roy Hudson, on the eve of election day. It made special efforts, both before and during the strike, to bring the waterfront workers to Party mass meetings for Browder, Ford and Hudson, and at the November 7 and Lenin Memorial meetings, with some success.

The effects of the campaign for a Farmer-Labor Party were reflected in a number of ways. The Sailors Union in San Pedro adopted a Farmer-Labor Party resolution. I.L.A. Local 38-79 of San Francisco went on record in support of Labor's Non-Partisan League and independent political action. A number of maritime unions participated in the California People's Legislative Conference, one of the broadest united front movements ever organized by the labor and progressive forces. Organized labor in San Francisco and Oakland launched a campaign to repeal the anti-picketing ordinances, and these measures were placed on the ballot in the special spring elections. (It is reported that as a result of the campaign to register for these elections, eight hundred seamen in the San Francisco Bay area registered, who had never voted before.)* Before the end of the strike, the issue of independent political action, especially in relation to the fight against the Copeland Act, became a central question for discus-

* The 20-year-old anti-picketing ordinance of San Francisco was repealed at a special election on March 9.

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sion among the strikers. The majority of maritime workers have not yet been won for a Farmer-Labor Party; this is a great shortcoming of the work of the Communists, but there is no doubt that there is a greater understanding among the maritime workers on the need for labor's independent political action, and that the time is not far off when they will align themselves with other progressive forces for the building of a Farmer-Labor Party, and will be in the forefront of an American People's Front against reaction, fascism and war.

One of the great weaknesses of our work was among the Negroes. In San Pedro, the I.L.A. progressives inherited from the former reactionary leadership a situation where the Negroes were practically excluded from working on the waterfront, with the exception of the Cotton Compress Local. The progressives made some attempts to fight against this policy of discrimination, but insufficiently. The result was that the employers attempted to exploit this justified resentment among the Negroes to incite them against the maritime unions. Had an attempt been made to open the port of San Pedro, as was done during the 1934 strike, this might have had disastrous consequences. Unfortunately, the National Negro Congress in Los Angeles did not react correctly to this threat, and failed to carry on an active campaign among the Negroes in support of the strike; there was resistance to this even among some Communists who should have been the most active leaders of the Negro people to mobilize support for the maritime unions. The Party made strenuous efforts to carry on such a campaign among the Negroes during the strike, but our big mistake was in waiting so long to take up the fight against discrimination in San Pedro.

In San Francisco, due to a correct policy adopted by the I.L.A. against Negro discrimination since 1934, there was a better situation. A number of Negro workers were included on the leading committees of the strike. The National Negro Congress played an important role in winning the sympathy of the Negro population in the San Francisco Bay area for the strikers; John P. Davis, its National Secretary, was invited to speak at strikers' meetings while on his California tour. But even here, too much was taken for granted; the shipowners' agent, Lee Holman, and the armed thugs in his strikebreaking company-union agency, made repeated attempts to provoke warfare between Negro and white workers. Holman recruited a group of misled Negroes with the promise of jobs, and marched them down to the waterfront at the conclusion of the strike to "demand jobs". His purpose was to precipitate a struggle which would alienate the sympathy of the Negro population toward the maritime unions.

The Communists in the union must take the lead in fighting against every form of discrimination toward Negroes, and must especially be vigilant to expose and fight against the undercover campaign of discrimination carried on by some reactionary elements in the I.L.A. The Party must also carry on patient work among the seamen to break down the prejudice and discrimination against the Filipinos, pointing out that unless this attitude is changed, the employers will take advantage of it

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to create a reserve of strikebreakers against the union.

Another phase of the strike which must be mentioned is the role of the women, particularly in the I.L.A. auxiliary, in actively participating in the organization of relief and other phases of strike activity; and the work of the Young Communists among the youth, in organizing sports and other recreational and educational activity for the strikers around the Union Recreational Center on the waterfront.

*The Maritime Worker,* weekly organ of the Waterfront Section of the Party, and the *Western Worker* were indispensable weapons in the fight for maintaining the unity of the strikers and in clarifying questions of policy, as well as explaining the broader political aspects of the struggle. The *Western Worker* was distributed in thousands of copies, regularly, in the union halls and on the picket lines and was as widely read and discussed by the strikers as was the *Voice of the Federation,* in spite of numerous attempts to bar it from the union halls.

The role and influence of the Party were reflected especially in the recruiting of over 300 new members to the Party from the strikers' ranks (nearly 2,000 new members were recruited into the Party throughout California, during the approximate period of the strike).

The Party organization as a whole reacted well to its tasks during the strike. Learning from the experiences of 1934, during the reign of terror and the vigilante raids, the Party was prepared, if necessary, to continue its work under emergency conditions. Nearly every section and unit was in a position to issue its own leaflets if necessary, and to continue uninterruptedly its activity in the neighborhoods and factories. Open mass activity was carried on during the whole three-month period. To a lesser extent, this was also true in San Pedro, where in 1934 the terror had made this impossible. The Workers Book Shop in San Pedro remained open, although it was repeatedly raided and wrecked by vigilantes, but the growing strength of the labor movement in San Pedro and its militancy made it very unhealthy for vigilantes.

The Party during the latter half of the strike organized more systematic political education for its new members, particularly among the seamen, in the form of new members' classes, unit discussions, and the distribution of Party literature, but a great deal more of this could have been done. A big shortcoming was the weakness in Party recruiting and political education among longshoremen.

Our tasks are not ended now that the strike is over. The Party must consolidate the gains it has made, politically and organizationally. The Communists in the maritime unions must rally all honest, progressive forces around them in the fight for maintaining and solidifying the unity of the workers, regardless of all difficulties and obstacles placed in their path. The Communists are not out to "control" or "capture" the unions for some sinister purpose. Our aim is to fight for policies that will strengthen and unify the ranks of the workers in their immediate struggles for the advancement of their economic and political interests, and to go forward to the building of an American People's Front which can de-

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feat the threatening forces of reaction, fascism, and war.

The successful conclusion of the strike, and the far-reaching influence of the maritime unions on the labor movement of the Pacific Coast and nationally, recall to mind the jubilant prediction, "Labor Is Licked", made by a leading capitalist of San Francisco at the conclusion of the 1934 General Strike.

He proved to be a false prophet indeed!

In this article we did not deal with the whole development in the labor movements, the strike movements, the organization campaign in steel, the C.I.O. agreements with General Motors and Carnegie-Illinois, the intensification of the splitting of the labor movement by Green, Frey and Co. It must be understood, however, that the great maritime strike is part of this whole development. The genuine progressive and Left forces in the marine industry are part and parcel of this whole progressive development in the labor movement, just as the Ryans, Sharrenbergs and Hunters are part of the reactionary splitters in the A. F. of L. Council. The same forces that made for victory in the maritime strike are the forces that made for victory in auto and steel, and are carrying forward the organization campaign in the mass production industries.

In analyzing the results of the Tampa Convention, our Party pointed out that the reunification of the trade union movement on a basis which will not compromise the fundamental aims of the C.I.O. (organization of the unorganized, industrial unionism, etc.), will depend on the extent to which the relation of forces changes in favor of the C.I.O. forces through both the advances in the organizing campaign by the C.I.O. and the growth of the rank-and-file and progressive movements in the A. F. of L. unions. The victory of the maritime strikers, which is a victory of the progressives in the I.S.U. and I.L.A., is just as much a part of this growth of these forces as is the success in auto and steel. To this extent the maritime strike has contributed to the forces of progress and unity in the trade union movement.

Just as it is not yet clear exactly what forms the struggle for the re-establishment of unity in the trade union movement will take, so is it not clear what forms it will take in the struggle to build a united industrial union in the marine industry, of which the immediate step is the building of a National Maritime Federation. But our goal is clear in both cases. And what is also clear is that the united industrial maritime union will be one of the most advanced sections of the broader and more progressive united trade union movement that will be the outcome of the present struggles.

Since this article was written, the fight against the Copeland Bill scored a victory when the House Merchant Marine Committee reached a compromise agreement with representatives of East and West Coast maritime unions, to propose to Congress an amendment to the Copeland Act, making the carrying of the Continuous Discharge Book "optional"; the seamen may instead carry a certificate of identification with the objectionable features of the fink book removed.

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# THE MILITARY DICTATORSHIP IN CUBA

BY P. FAVIO

IN FEBRUARY the Central Committee of the Cuban Communist Party held its Eighth Plenum, a few weeks after the coup d'etat against the former President, M. M. Gomez, had taken place. The main task of the plenum was to analyze the causes which made the overthrow of the previous government possible, and to establish the characteristics of the new government headed by President Laredo Bru. The plenum fulfilled these tasks and, because of the analyses and tactics elaborated at the Seventh Plenum of the Party and the correctness of its line, the Cuban Party has grown in authority and earned the confidence of the masses. Today it is the only party in Cuba that has shown the people a clear road toward the establishment of a democratic regime and national liberation.

Why was it possible to overthrow the Gomez government? President Gomez was elected January 10, 1936. He was supported in the elections by a coalition of three parties, and won because he had the support of the State Department at Washington as well as of Batista himself, against the candidacy of M. G. Menocal, who had the confidence of Wall Street but not of Batista. This election took place in the midst of a great terror, and was imposed by Ambassador Caffrey against the will of the people, who demanded that an election for a Constituent Assembly be held. (Cuba has had no legal constitution since 1928.)

The parties participated in the elections with promises of democratic reform to alleviate discontent with Batista's terror. President Gomez, although he was elected with the armed support of Batista, took office in the midst of popular hope and expectations that his government would restrict the dictatorship and would re-establish certain rights and liberties. These hopes had their basis not only in the promises made by the parties during the election campaign, but in the discontent that the crimes of Batista were beginning to produce even among certain bourgeois elements which support him. This hopefulness was further encouraged by the campaign of protest against Batista made by the American workers and the people of Latin America.

The government of Gomez could not ignore such sentiments, remembering the popular outburst against Machado. Thus, from the very beginning, there was a series of antagonisms between the civil and the military branches of the government, on the issue of how the country was to be



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governed. During the seven months that President Gomez remained in office continuous clashes took place, sometimes open and sometimes hidden. Cuba lived during that period practically under a dual power: one, the civil government represented by President Gomez and Congress, a weak government, but which could have transformed itself into a powerful government if it had known how to orientate itself toward the masses; and the other, the military power, represented by Batista, strong, not so much because he had on his side the armed forces and the support of the American embassy, but because of the division among the Cuban people.

The main promises made by President Gomez on May 20, 1936, the day on which he was inaugurated, were the following: amnesty for political prisoners, the solution of the educational problem (since 1930 the university and a large section of the educational centers have been closed) and the calling of elections for a Constituent Assembly. These promises reflected the hopes of the masses but clashed with the interests and the will of the high military command which had power in its hands and was opposed to any policy that would in any way curb its unrestricted dictatorship. Batista feared that Gomez would restrict the large war budget, that his people employed in the government service would be discharged, etc. He set himself the task of obstructing all the activities of the President and of discrediting him among the people.

Immediately after the inauguration of Gomez, Batista gave orders to the Army forces to retire to the armories. At the same time Batista continued to exercise certain state functions which legally did not belong to the army. This was particularly shown in the establishment of a Labor Department in Columbia (the seat of Batista's rule) next to the Labor Department of the civil government which, with a mixture of demagogic acts and force, tried to show the workers that the only force capable of solving their problems was the army. Alongside of the Department of Public Education, Batista created the Civic Military Institute which, independent of the civil power, proceeded to establish schools in the villages headed by military teachers. Bastista continued to maintain his machinery of police terror and developed his military espionage service, outside of the control of the Secretary of the Interior.

Through terror and bribery Batista subjected the press to a rigid control. He made use of the struggles of the different political parties around patronage and budgetary assignments, and took advantage of the passivity of Congress and of the government itself in relation to the most burning problems of the people, to launch a campaign for the dissolution of Congress. This campaign had two main objectives: first, to capitalize on the sentiment of the people against the passivity of Congress in relation to national problems, such as the convocation of the Constituent Assembly, and the question of amnesty; and, second, to break up the majority bloc in Congress, made up of the three parties that supported Gomez. The real purpose of Batista's activities was to subject the civil power to the hegemony of the high military command and, short of that, to overthrow it.

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The Communist Party was the only party in Cuba which foresaw the future developments of this situation and elaborated a concrete line of procedure. The Seventh Plenum of the Party, held a few days after President Gomez's inauguration, explained the class content of that government, and its relation to American imperialism. It analyzed the contradictions which developed between the civil and the military authorities and the need of utilizing these contradictions for building a broad mass movement and establishing a People's Front.

The Communist Party had to struggle with the prevailing opinions in the majority of the anti-imperialist parties, which saw no difference between Batista and Gomez or considered Gomez merely a puppet of Batista. Our Party, characterizing Batista as Public Enemy No. 1, as the main agent of imperialism and the greatest enemy of democracy, pressed the need of directing the main fire against him. The Party made its main tactical task the unification of all the forces interested in the maintenance of civil rights and democracy. Basing itself on this point of view, the Party declared itself ready to support all those measures of the government and of Congress which would tend to maintain civil rights and improve the conditions of the people. At the same time, not forgetting the origin and class character of the government, the Party stated that it would criticize and fight any measure that infringed on the interests of the people or made concessions to the military power.

The Party concentrated on building and developing the independent activities of the masses, on building the Popular Front, on imbuing the people with faith in their own strength which had been weakened after the defeat of the general strike of March, 1935. The further sharpening of the contradictions between the government and the military power depended, in the opinion of the Party, on mass struggles and the unification of the democratic forces. This was the basis of the tactics of the Party during that period.

Taking advantage of legal possibilities, a broad mass movement demanding general amnesty for political and social prisoners was developed that included not only the workers but the petty bourgeoisie, intellectuals, merchants, clergy, etc. This won amnesty, though very restricted. The Party also initiated a popular movement demanding fulfilment of the promises made by the President to call a free Constituent Assembly. Due to popular pressure, the Senate rejected the reactionary Draft Constitution, agreed upon by the Chamber, and a more progressive Draft Constitution was drawn up. In the educational field, it was possible for the students to remain united during their strike and not to return to classes until their fundamental demands were granted. Even though this problem has not been solved as yet, the unity and strength of the students' demands have forced even the new reactionary government of Laredo Bru to satisfy two of their three main demands (there is left only the demand for the liberation of the students now in prison).

Within the working class the main slogans of the Party were and still are: carrying out of the social laws, and trade union unity. The Party called for the boycott of the Military Labor Department and to demand from the Secre-

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tary of Labor to put into practice all social laws and to resolve the existing conflicts in favor of the workers. In this respect, even though there were certain successes, there were not as many as could have been realized, because of the distortion of the Party line by certain comrades responsible for trade union work. They developed the tendency to depend on the good will of the Secretary of Labor and on conferences with top leaders, disregarding work among the masses and the winning of concrete partial demands. This deviation has been recently corrected by our Party.

Work among the peasantry is one of the weakest fields of activity of the Party. The Party raises the following main demands: Stop the wave of evictions; enforce the law of Arrobaje which benefits the sugar colonos (a type of sharecropper), to the disadvantage of the big sugar planters and American sugar interests. These demands, felt by all the peasantry, helped to unmask the demagogy of Batista, who presents himself as the protector of the peasantry. Demagogy also confronts the Party in its Negro work, where Batista presents himself as the protector of the Negroes, claiming to be of Negro descent. Even though the work of the Party among the Negro masses is very weak, we have been able to penetrate some of their mass organizations and work together for their most needed demands, particularly against the various forms of discrimination.

Where the Party can show the greatest success is in its work among the youth. Carrying out the decisions of the Sixth Congress of the Young Communist International, our Y.C.L. has been able to adapt the decisions to the situation in Cuba. It has broadened its activities and aroused a great movement in favor of unifying the youth on the basis of democratic demands and national liberation, as exemplified by the national leaders of our War of Independence from Spain, Marti and Maceo. This movement constitutes a great national force which will play a great role in future struggles.

In spite of this activity, the Party by itself could not change the political situation of the country. The common effort of all anti-Batista elements was required in order to shift the balance in favor of the democratic forces. But the rallying of all these forces found and still finds great obstacles, among the most important of which are the putschist and insurrectionist tactics of the leaders of some of the anti-imperialist parties. In addition, some of them oppose the formation of a Popular Front and United Front activities. There was also the tendency not to differentiate between Batista and Gomez, refusing to accept any possibility of mass action, and trying to maintain that the only solution was an immediate armed insurrection. Of course, this left the field open for Batista's demagogy among the masses. Certain terroristic activities carried on by some of these leaders were used as a pretext by Batista to intensify his terror against the people and to press the civil government and Congress to establish reactionary measures. All public efforts of the Party to have these leaders renounce their false and dangerous tactics and adopt a policy of work among the masses for the formation of a Popular Front, failed, despite the approval with which they were greeted by the rank and file of these parties.

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The absence of a united popular movement during Gomez' regime was one of the main causes for the continuous concessions that he had to make to Batista's pressure (outlawing of meetings, the restriction of amnesty, the death penalty law against terrorists, etc.). These concessions served at the same time to discredit the government, to diminish its mass support and to facilitate Batista's work. The absence of unified mass actions that would press on Congress with a greater strength than the military pressure exerted by Batista made it easier for Batista to succeed in winning the majority of Congress against Gomez and his government. The only party that fought against the threat of Batista to dissolve Congress was the Communist Party. The lack of unity among the other Left parties was responsible for the relative ease with which Batista succeeded in overthrowing Gomez during December, 1936, which meant that democracy had suffered another blow.

In the resolution of the Eighth Plenum of the Central Committee of the Cuban Party, this was evaluated as follows:

"The 'constitutional' coup d'etat with which the political crisis has been 'solved' has meant a new step forward by Batista and a perceptible re-enforcement of his position, but it cannot be considered as a complete victory.

"Because of the North American pressure and the relationship of forces within the country, the coup d'etat is the result of a compromise between Batista and a section of Congress, which conditions the characteristics, range and contents of the coup. Therefore, it would be false to characterize the present government already as a military dictatorship or as the ultimate aim of the reactionaries and pro-imperialist forces which center around Columbia. This situation, which is a product of the compromise we have already mentioned, must be seen rather as a transitory thing which might serve as a bridge toward more fascist and reactionary positions.

"Laredo Bru, the new President, placed in power with the confidence of Batista, who also placed Montalvo in a strategic position to substitute Laredo Bru, has shown himself more and more under the influence of Batista.

"Congress, even though it still has a majority created by Batista during the present crisis, will continue to be an obstacle for the application of his militaristic policies. It is evident that Batista will now have more facilities in Congress for his activities, but he will not have a road free of resistance and difficulties. This becomes clearer if we take into consideration the fact that we cannot classify as Batista partisans all the representatives in Congress who voted for the overthrow of former President Gomez. To this general consideration we must add that there are still in Congress a considerable group of representatives and senators who voted against the military dictatorship and for democracy. This group represents an opposition that can become very powerful if it is capable of consolidating and broadening itself.

"And, lastly, it is necessary to take into consideration the fact that the coup d'etat has strengthened the opposition to Batista, broadening its mass content and bringing forward in bold relief to the Cuban masses the need for the unification of all the friends of freedom and democracy."

This analysis has already been proven correct. The Batista partisans, not completely satisfied with the results of the constitutional coup, have begun a campaign against all political parties and are trying to create a single party. This campaign endeavors to justify the discontent of the masses with the traditional parties in Cuba, which have never done anything of benefit to them. The aim of Batista in this campaign is to imitate the example of Hitler and Mussolini and eliminate all opposition by creating a single fascist party completely under his control.

Taking into consideration the fact

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that politics in Cuba is traditionally one of the most important "industries" from which a large part of the population lives, such a campaign clashes with the opposition of all parties and even with many Congressmen who voted against Gomez. On the other hand, a movement of protest is crystallizing against those leaders and Congressmen who betrayed their electoral promises and voted for the overthrow of Gomez. The rank and file of these parties demand that their leaders declare that they will struggle for democracy. One of the results of such pressure from below has been that one of the parliamentary leaders of the opposition against Gomez, Bravo Acosta, has already joined the opposition, and his residence has already been raided by the military intelligence service (Batista's police).

In addition, a considerable group of Congressmen, about forty, who voted against the overthrow, of Gomez, is crystallizing as an open opposition to the military dictatorship and constitutes a parliamentary democratic bloc. This bloc has excellent perspectives for broadening out and can play a very important role in the struggle for civil liberties.

Another factor of importance is the recent decision made by former President Grau San Martin to end his absence of two years and come back into active political life in Cuba. Although this decision has been accompanied by declarations hostile to the formation of a popular front, it will contribute to broadening the character of the mass opposition to the military dictatorship.

Lastly, the idea of a Popular Front has matured more than ever in the minds of the masses. Batista carried through his coup against Gomez in the midst of the open opposition of the urban masses. In spite of his demagogic promises to the peasants, he does not have their support. The public demonstrations which the Batista supporters organized at the end of December in favor of his dictatorial aims did not bring out more than 700 persons in Havana, forty persons in Matanzas, 400 in Camaguey, and 400 in Santiago de Cuba.

The majority of the population is against the military dictatorship. The experiences of the struggle against Machado are still fresh in the memory of the masses. The successes of the Popular Front in Spain and France, the development of the struggle against reaction and imperialism in Mexico under the leadership of President Cardenas, as well as the growth of the progressive and labor party movement in the United States, have had great repercussions among the Cuban people. Of great importance has been the broadening of the solidarity movement of the American workers which, at one time limited to the Communist Party and the most advanced sections of the workers, today embraces large sections of the working class. This was expressed by the many resolutions passed by the state conventions of the American Federation of Labor, and by the latest convention of the A. F. of L. at Tampa, which listened to the report of Cesar Villar, Secretary of the National Confederation of Labor, freed from Batista's jails by the masses of the whole country. Another factor to be noted is that this solidarity movement has been extended to the Canadian trade unions and other broad

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sections of the Canadian population.

The hatred against the dictatorship; the activities of the Communist Party in favor of the Popular Front; the correctness of its line which has been verified by experience, have created a situation in which a great number of the organizations and leaders of the party of Grau San Martin, Joven Cuba, and other political sections. have publicly endorsed the united front and on many occasions they have carried this out in practice. This desire for unity finds a more vigorous expression among the working class, for whom the dictatorship of Batista means double oppression.

After having made these broad analyses of the situation, the plenum emphasized again the need for working for the unification of the Cuban people. The plenum made a step forward, unanimously approving the policies proposed and already put into practice by the Political Bureau, of extending the united front to include the national leaders of the traditional parties and the Houses of Congress, all threatened by a semi-fascist military dictatorship. The main slogan of the Party is the establishment of a broad, democratic, popular bloc of all Cubans, with a partial program of demands for civil rights and the improvement of the conditions of the people. The center of these demands is the guarantee of democratic participation in the Constituent Assembly, permitting the organization of all parties, and guaranteeing them freedom of agitation and propaganda, overruling all legislation that infringes on democratic rights, including the emergency tribunals.

In relation to the popular democratic bloc in Congress, our plenum addressed a public letter to Dr. Grau San Martin, greeting his decision to participate again in the political life of the country, showing him how his negative position toward the popular front was not in harmony with his aims and would contribute to strengthening Batista's position. This letter was published by one of the most important dailies in Havana and aroused great public interest. This, together with the great sentiment of unity among the people, is being used by our Party to put into practice the slogan already propagated for a long time, of all the democratic forces of the country uniting behind a single slate of candidates and program in the next election for a Constituent Assembly.

Lengthy discussion was given by the Party to Batista's demagogy, realizing that Batista's promises around the schools, land for the peasants, sanitariums for consumptives, the forty-hour week, and even demagogy about the economic independence of the country, express the hopes and aspirations of the people. The Party decided that the best tactic to unmask his demagogy was to take a positive attitude and demand that he fulfil his promises in practice.

During his recent trip to Santiago de Cuba, where Batista's partisans had prepared a mass reception, the Party advised the trade unions and the neighboring peasantry to participate in the demonstration. As a result, Batista was confronted with a real demand for stopping the evictions of the peasants from their land, for the right to hold meetings, for the right to organize the sugar workers, for the carrying out in practice of social legislation.

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Batista has expressed great discontent with the placards and slogans with which he was confronted.

The Party realizes that the key to the development of the mass movement and the organization of the popular front, for the unification of the trade unions, lies in its relations with the masses and in the organization of their struggles for partial demands. This constitutes one of the great weaknesses of the Party and was seriously discussed by our plenum. At the same time we carefully studied the tasks of the Party in relation to the strengthening of our connections with the factories, the unemployed workers, the peasantry and the organization of the Negro workers and the women in the trade unions.

Another important conclusion reached at our plenum was the fact that the Party can be considered as having emerged out of the difficult situation in which it found itself because of the March, 1935, defeat. Between the Seventh and the Eighth Plenums, the membership of the Party increased 63 per cent and, in spite of the terrific terror, the Party was able to re-establish its connections nationally as well as with the sugar mills and plantations. The Party was established in twenty-one counties in which it did not have connections at the time of the Seventh Plenum. It multiplied its printed propaganda and began to publish a legal mass organ. Its authority among the masses has gradually increased; even the most hostile elements have to recognize it as a serious political factor. Never has the Party been more unified around its Central Committee and its leader, Comrade Blas Roca. This has been possible because of the great effort made to put into practice the resolutions of the Seventh Congress of the C.I., because of the constant struggle against sectarianism and Right distortions of the line of the Party. The Plenum recognized the valuable services rendered by the American Communist Party, not only in the role it plays in mobilizing the American workers and progressives in solidarity with the Cuban masses, but for the brotherly help it gives our Party in all its activities. And we are sure that as the struggles of the Cuban people against reaction and for their liberties and national liberation develop to a higher level our American brother Party will increase its mass activities and paternal help.

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# THE COMMONWEALTH FEDERATION MOVES ON

BY MORRIS RAPORT

THE Roosevelt landslide carried into office all the Commonwealth Federation candidates in the state of Washington who had been nominated in the primaries on the Democratic ticket. Of these twenty-three were members of the State House of Representatives. Since the Commonwealth Federation is as yet primarily an organization in the state of Washington working within the Democratic Party, its main work consists in formulating and passing constructive and progressive legislation in the state. In doing this the Federation demonstrated to a large mass of the people that it is promoting concretely their interests and daily welfare.

The November 14 and 15, 1936, convention of the Washington Commonwealth Federation served as the focus for generating the legislative program. Over 500 delegates met to review their organization and their program in light of the campaign experiences. The composition of the delegates showed the strengthening growth of the Federation. Outstanding were over 200 delegates from organized labor. The largest number came from marine and the woodworkers' sections, where rank-and-file control and militancy are at their best. The unions controlled by the reactionary Dave Beck and the building trades were noticeably absent.

The second largest block came from the unemployed organizations which are united in the Workers Alliance. Their thirty-six delegates and the sixteen from the youth section represented the basic interests of the unemployed and W.P.A. workers. On the other hand, the technocratic groups and "progressive" Democratic clubs have practically disappeared as an important part of the Federation. The technocrats, formerly numbering thousands, are paying the penalty for non-political reformism, factionalism, and the opportunist political ambitions of their demagogic leaders.

The plank of the Federation platform stating "we favor production for use for all and abolition of the profit system" was removed without the split that had been threatened by its supporters. A debate on this issue showed that the membership of the Federation were approaching greater political maturity. It became clear in the midst of the debate that the "production for use" plank would continue to serve as a means by which demagogic and confused elements would be able to detract attention from the main issues that are facing the people and the man-



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date given to the Washington Commonwealth Federation on November 3. The "production for use" plank was also a happy hunting ground for Red-baiters who attacked it as "socialism, communism, etc." The delegates substituted a plank which read:

"It is evident that our natural resources and highly developed productive power make abundance possible and poverty no longer necessary. Yet organized special privilege threatens to destroy democratic institutions, abrogate civil liberties, keep the common people in permanent poverty and incite wars for profit—unless all progressives organize to defend their democratic institutions, protect their civil liberties, advance the common security, and defeat the plans of the war makers."

This change in the platform made it possible to bring in ever greater numbers of people who refuse to struggle for "production for use" but at the same time are ready to unite against reaction.

The constitution of the Federation was made more democratic. Previously, holders of political office had been prohibited from official positions in the Federation. This was remedied and the number of officers on the Board of Directors was increased and made more representative of the membership. Tom Smith, King County Commissioner-elect, was elected President. Captain John Fox of the Master, Mates and Pilots was elected first Vice-President. Earl O. Gunther of the Stage Hands Union, Second Vice-President, and Professor R. J. Tyler, Third Vice-President. It was evident from these elections that the former leadership which opposed organized labor as a leading factor in the Federation was eliminated, thus drawing the labor movement as a whole more actively into the Federation.

The main task of the convention was the formulation of a legislative program for the legislature. More than fifty legislative proposals were presented to the convention and adopted. None of them had been drafted nor could the delegates consider such bills in detail. Only the major objectives of the proposals were outlined. They fell into clearly defined groups.

There was the question of revenue and taxation. A 2 per cent sales tax had been forced upon the state at the previous session and a forty-mill tax on real and personal property has been passed as an initiative by the people. Since the state constitution prohibits any graduated tax and since an amendment to permit a graduated income tax had been defeated at the polls, there was the problem of replacing the sales tax or getting an increase in the state revenue. Outside of opposition to the sales tax there was no proposal brought in which was an answer to the problem.

Bills to develop and enlarge civil rights offered no difficulties. The repeal of the Criminal Syndicalism Law; the prohibition of the use of tear gas in strikes; the registration of armed guards and private detectives; the elimination of state police as strike-breakers—these and similar proposals were made an important part of the legislative program.

The program for social security showed a real and vital interest in the political program which protects and increases the standards of living of the masses. Out of seventeen bills proposed and accepted, the most important were: a Youth Bill modeled upon

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the American Youth Act; increased pensions for the aged and blind; increased state aid to the unemployed together with needed reforms in administration of old social relief measures; unemployment insurance. Such labor legislation as a labor code similar to the Wagner-Connery Act and the Walsh-Healy Bill, which would establish union wages and union recognition for all purchases and contracts let by the state, indicate the nature of the legislation to help the cause of labor.

Also accepted were proposals for state ownership and operation of cement plants, ferry boat system, cooperatives, public insurance, and the state wholesaling and retailing of gas.

The interest in education was shown by the proposals to increase state aid for schools, help libraries, to eliminate compulsory military training, and to give teachers tenure and retirement provisions. These legislative proposals are in line with the mandate given by the people. But few in the Federation realize the tasks that lie ahead if any of these legislative proposals were to be enacted into law, since the power vested in the governor could nullify any social legislation even if the people controlled both of the houses.

The tasks ahead of the Federation are divided along two lines of endeavor: (1) The technical and parliamentary steps in the drafting of the bills and carrying them through the legislature; (2) The creation of organized public pressure to force the passage and stop the governor's veto. The Federation lacked the experience and technical help to get all the bills drafted and prepared them too late. This delay hampered the building of organized support among the people.

A great deal of education and publicity to acquaint the people with important bills are first of all necessary in a people's movement. It is true that definite efforts were made to rally support from the Grange and the State Federation of Labor, but this support was not very effective because it, too, was premised upon individual lobbying activities, typical of traditional American politics. The leadership of the Grange and the State Federation of Labor, which are against a People's Front and are closely connected with the reactionary political machinery in the state, in effect blocked the efforts of the Federation legislators and progressive legislation.

*Legislation must not only emerge from the people's needs, it must also be driven forward by the daily activity of the people themselves. Only in that way can the people learn how to take control of their own destinies and how to fashion their own government. Moreover, any political party which does not wish to succumb to political disintegration must see that it takes an active part in the day-to-day struggles of the people and show how these problems are linked up with political action.* This the Communist Party undertook as a daily task.

The session of the legislature began on January 11. The main strength of the Federation was in the House. Out of ninety-nine members, the W.C.F. bloc had succeeded in lining up thirty-nine in a progressive coalition. The battle for the speakership, the key to the appointment of committees and parliamentary control, was the first test of strength. The governor, with his enormous power of political patronage, had organized thirty-seven legis-

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lators around a reactionary labor-hating candidate for speakership. The progressives also nominated a candidate. A third candidate, Reilly, had seventeen supporting him in the hope of using this as bargaining power. It was clear that any long contest over the speakership would allow the governor to buy votes to get his way.

The Federation bloc demonstrated its organized power in a move that surprised the opposition completely. On the second ballot, its thirty-nine votes were thrown to Reilly with an agreement which gave the Federation one-third of the membership of all committees and control over several important ones. In the 1935 session, the Commonwealth Builders' legislators had been practically excluded from all committees.

The state senate proved to be the stronghold of reaction. In the districts where the Federation was strong, the senators were held-overs, so the governor was able to organize a reactionary bloc which dominated the Senate. It even threatened to take away the speakership from the Lieutenant-Governor, who had been endorsed by the W.C.F. It was obvious that the reactionary forces were going to use the Senate as a means of killing any progressive measures that would be passed in the House.

The role of the State Federation of Labor and the Grange has been disappointing. Six members of the House were members of organized labor and officials of trade unions. They refused to vote with the Federation bloc in spite of the fact that the entire program of labor was endorsed by the W.C.F. and although the W.C.F. bloc was the only effective agency for initiating and passing their bills. But the Grange members and they hoped to bargain with the governor and the conservatives by playing along with them. Such reactionary action threatened to disrupt the progressive bloc itself.

Since the session is limited by the state Constitution to sixty days, and since the governor has tremendous patronage power, and since he had all the advantages in an excellent formulation of his program, the progressive bloc found itself at a disadvantage. The reactionary group tried to isolate the Federation members. A campaign of Red-baiting, such as calling legislators "Communist", etc., was carried out on the floor of the House, in newspapers, and over the radio. The Federation was forced to take steps to prevent such isolation by insisting that the W.C.F. legislators organize in a bloc and publicize their program as W.C.F. progressives and carry their appeals back to the organizations in their dis tricts. When this was done, the Red-baiting and attempts at isolation were frustrated. Some of the Federation members and liberals in the legislature who tried to hide the face of the Federation then lined up with the bloc.

The danger of a compromise with the reactionaries as advocated by some members of the bloc is well illustrated in the passage of a bill preventing the use of gas against strikers. The W.C.F. bloc forced the bill into the floor of the House. The six reactionary labor members spent most of the day trying to pass amendments to the bill which would have nullified it. By refusing to vote for any amendment, the Federation finally forced a roll-call vote and the reactionary labor members dared

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not vote against this measure. It was passed in the House by a large majority but it was killed in the Senate by postponement.

When the session ended the Federation could list more achievements than had ever been accomplished before by any liberal group. The criminal syndicalism law had been repealed. The governor's labor dispute act, which would have taken away the right to strike and picket, was defeated. A graduated income tax amendment has been forced before the voters in 1938. Bills setting a minimum wage for all state employees at $100 a month carried. A Pure Food and Drug Act, a Youth Bill, state regulation of price of gasoline, and the increase of appropriation for social security and relief from $19,000,000 to $43,000,000 all went through. These represent the major accomplishments of the W.C.F. in the legislature.

The major weaknesses of the Federation were represented in its inability to defeat the governor's proposal to centralize the administration of relief in the hands of one appointee; it failed to prevent the increase of the sales tax by the removal of the exemptions on foodstuffs. But the result of the state legislature has brought concretely to the people the value of a People's Front.

The second task of the November Federation Convention was the preparation for the city elections in Seattle. The results of the Seattle city elections are proof of the correctness of the analysis made by Comrade Browder at the December Plenum of the Central Committee:

"We must soberly estimate the moods and trends among the broad progressive ranks. We must find a way to unite the movements already outside of and independent of the Democrats and progressive Republicans together with those who are now maturing within the old parties and are not yet ready for full independence. This means that we must conceive of the People's Front on a broader scale than merely the existing Farmer-Labor Party organizations. We must conceive of it on a scale that will unite the forces in the Farmer-Labor Party and other progressives together with those forces crystallized in some form or other but not yet independent of the old parties."

This analysis of the present realignments that are taking place in the American political life served as a guide in the state legislature and enhanced the work in the city of Seattle elections which led to the victory of Hugh DeLacy, W.C.F. candidate.

The Seattle election campaign in which three councilmen, a member of the School Board, and a Port Commissioner were to be elected, demonstrated the growing strength of the Federation, perhaps even more than the national and state elections had. The city convention brought out nearly 200 delegates who worked together with unprecedented unity. Two candidates were endorsed for the councilmanic race and all efforts were concentrated on electing them. Since in theory the city elections are non-partisan, the usual election is a "popularity contest".

The candidates, as a rule, do not raise any issue pertaining to the lives of the citizens, but mainly indulge in giving their life biographies, number of children, and what church they attend. But behind doors there is a bitter struggle and test of the voting strength of the political machines. One of the most powerful groups heretofore was the Cincinnatus, an organ-

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ization of young businessmen, semi-fascist in character. It runs candidates for city elections on a program of economy and clean government and gets the reactionary votes and the votes of the middle class and professionals.

The campaign strategy of the W.C.F. was primarily centered around a campaign on issues that would struggle for the well-being of the citizens, which meant a battle of progress against reaction—"Return the City Hall to the People".

The two candidates, Earl Gunther and Hugh DeLacy, were both members of organized labor. Gunther was well known to labor and had been Vice-President of the Central Labor Council. Hugh DeLacy is young and comparatively unknown. He is a teacher of the University of Washington and a prominent member of the Teacher's Union. In the primary campaign, the reactionary labor leaders, headed by Dave Beck, fearing the growing power of the Federation, sought to defeat the two candidates and, in order to split the vote, the whole weight of the political machine of the Teamsters Union and the City Hall was used against the W.C.F. candidates.

DeLacy was fired from the University because he filed for political office. This act of the reactionary Board of Regents did more than any other single factor to dramatize his campaign and get his name before the people. The result of the primaries was that the people defeated the action of the reactionary Board of Regents, nominating DeLacy. The people again came out in support of their November 3 mandate. Gunther lost by 2,000 votes, primarily because the Beck machine ran a teamsters' candidate which succeeded in splitting the votes. At the same time Gunther's defeat must be attributed to the fact that he lacked the militancy of DeLacy. He resigned the position which he held on the W.P.A., while DeLacy refused. The reasons for Gunther's defeat could be objectively compared to the defeat of John C. Stevenson in the last primaries (while by no means comparing the two as political figures). In the final campaign, the Federation and the Communist Party mobilized their maximum strength to elect DeLacy. Since he was the only candidate from organized labor and since the reactionaries were defeated at the polls, the Central Labor Council endorsed DeLacy. The reactionaries wanted his defeat but did not dare to say so openly.

Thus DeLacy was the only candidate to stand for a clearcut program, campaigning for the right of all labor to organize and bargain collectively without fear and interference or reprisal and with the full protection of the city, for modernization of the transportation system with reduction of fares to 5 cents, for a building program under 100 per cent union conditions to provide low cost housing, community recreational centers and health clinics, for a practical administration, for more relief without red tape and humiliation, and finally for a program to provide more revenue by making the rich tax-dodgers pay their full share to support the city.

By doing this, DeLacy got full support of the workers, middle class, professionals, and small business people and forced his issues to be the city's issues. The reactionary labor leaders, who originally endorsed DeLacy in order to defeat him, were forced to

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come out openly with leaflets, organizing special meetings of the business agents and declaring DeLacy as their own unqualified candidate. Likewise Mayor Dore and Democratic precinct committeemen came out for DeLacy. The final night before elections, the reactionary labor leaders, while not uniting openly with the Federation, called a big mass meeting with approximately 10,000 attending, and DeLacy was introduced as one of their candidates. This resulted in DeLacy's victory and he was elected with over 50,000 votes.

With these victories behind it, what are the perspectives of the W.C.F.? To win control of the city government in next year's election. It will be a bitterly fought campaign with the political machine. The reactionary labor leaders will be faced with complete defeat.

In order to win it is necessary for the Federation to choose the proper candidates and build them up for the campaign as soon as possible. Life itself has proven that the reactionary labor leaders can be forced to join hands with the Federation by appealing to the rank and file, as was done in the city elections. The extension of the program on which DeLacy has been elected must be developed. Citywide conferences must be organized to consult with the people on city affairs and in the forefront will be the militant positions of DeLacy and the W.C.F. They must initiate city ordinances in line with his platform. By speaking over the air and creating a people's council to advise him, he can dramatize and put into life the slogan of "Return the City Hall to the People". *It also seems clear that the Federation will have to continue to participate as the Left wing of the Democratic Party.*

Already the disintegration of the old parties has become obvious and one of the most important factors in the process is the W.C.F. The issue of progress versus reaction is resulting in a separating process whereby the reactionaries in the Democratic Party have to draw away from the progressive mass base and join themselves more and more with the reactionary remnants of the Republican Party. This was particularly noticeable in the legislature, where party lines disappeared and the lines of force mobilized independent of old party labels around the W.C.F. and the Governor's reactionary bloc.

It is also clear that the W.C.F. has organizational weaknesses. It badly needs material for leadership as it grows and expands. It needs to build and develop people who can be effective candidates. It needs to bring forth women as leaders. It needs most of all to get organized outside of the Seattle area, which is its main strength.

While the city campaign in Seattle was being won there were defeats in Spokane and Tacoma, due mainly to poor organization and poor leadership which allowed itself to become the tail end of the reactionaries in the labor movement.

The Communist Party has contributed greatly to this success. The Party's clearcut position on democracy versus reaction helped to bring about a greater political maturity in the organization. Thus, Red-baiting has been defeated in the ranks of the Federation and known Communists have leading positions in it. The Communists were in the forefront in the struggle for

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unity. The Communists do not try to control or dominate the organization but, through their political clarity, succeeded in winning the confidence of the progressives who are at the head of the organization. Therefore it is no accident that where the Party is strong there the Federation had strength, although the Party is not affiliated to the W.C.F.

The Socialist Party has completely disappeared since the November elections. For the first time in years they did not run candidates for election. Such complete disintegration is the inevitable result of the reformist, sectarian policy adopted in the national elections and the very close relationship established with the Republicans by the leaders of the Socialist Party of the state of Washington.

While there has been no Trotskyite activity in Washington, as yet, there are some indications of Trotskyism beginning to develop in relation to the W.C.F. The defeated Red-baiters, Right-wing Socialists, farmer-labor coalitionists, and renegades of our Party, who have split with the Federation, are being pushed by the logic of their position into such a line. In the city elections, some sectarian elements of the Workers Alliance in conjunction with renegades, ran a renegade from the Party for the city council, who tried to tie himself on to the labor and W.C.F. movements. This effort to split the unity of the masses failed when the renegade got only 900 votes, but this real objective was exposed when he came out in support of non-Federation candidates in the final elections. He attacked the Federation and DeLacy by charging they were tools of the Communists and were trying to double-cross the two other candidates who were endorsed by the Teamsters Union.

The affiliates to the W.C.F. have learned that the Communist Party has no interests apart from the people. The Communist Party has contributed greatly to the growth and maturity of the Federation. Many of the leaders are Communists and they are a great asset and are indispensable to building the Federation and the People's Front in the State of Washington.

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# THE PEOPLE'S FRONT IN THE PHILIPPINES

BY JUAN TAMARAO

A NEW political path opens before the Filipino people. All the anti-imperialist, anti-fascist and democratic parties have entered into the Popular Alliance to fight the growing military-fascist dictatorship of President Manuel L. Quezon, to better the conditions of the people and to assure a free and independent Philippines.

The most important outcome thus far of the Commonwealth after one year of its existence is this new alignment of the people's parties against the basic content of the whole Commonwealth plan itself. The new People's Front now forming in the Far East is setting up an additional barrier before the Japanese aggressionists in Asia and offers to link the national democratic forces of China with all of Polynesia, with Borneo and the Dutch West Indies, and with the Malay Peninsula. It is only fitting that the fruit of decades of American imperialist domination in the Philippines should be a democratic, anti-imperialist front of the people.

The component parties of the Popular Alliance represent the most vital democratic and progressive forces in the country, a real potential "unity of the people". The parties of General Emilio Aguinaldo and of Bishop Gregorio Aglipay, who separately opposed Quezon in the presidential election of 1935 and together obtained 330,000 votes as against 690,000 for Quezon, have joined the Alliance. Aguinaldo's National Socialist Party is anti-hacienderos and strongly nationalistic, and favors a program of reforms which would rid the country of dictatorship by establishing democratic rights. Its support comes principally from the middle classes and the veterans of the revolutions against Spain and the United States who have not forgotten what it means to fight for independence.

After the formation of the Popular Alliance, the party was strengthened by the adherence of General Jose Alejandrino, a veteran of the revolution who resigned from Quezon's Military Defense Committee to join the new grouping, and Juan Sumulong. The latter is the former leader of the old middle class opposition party, the Democrata, most of which was absorbed in the government coalition party which is dominated by Quezon.

Ex-Senator Sumulong is a respected political leader of long standing who brings with him to the Popular Alliance the support of an important section of the Filipino middle class. It is the section of Filipino businessmen and small capitalists with industrial aspirations who are opposed to the economic policies of Quezon which



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have sacrificed the development of native industry for the benefits of the American free market. As the result of the establishment of free trade between the Philippines and the United States, the Americans won a monopoly of the Philippine market which makes it impossible for Filipinos to start industries of their own. The hacienderos, on the other hand, and especially the Filipino sugar barons, have given their wholehearted support to Quezon and are now driving toward the strengthening of economic ties with the United States. In opposition to Quezon, middle class leaders such as Juan Sumulong are strong advocates of a protectionist tariff policy directed against both the United States and Japan which would encourage the development of Filipino industry and establish an economic basis for independence. This section of the Filipino bourgeoisie consequently plays an anti-imperialist role and is progressive and liberal in politics.

The Aglipayan movement is rooted in the powerful anti-Catholic and independence tradition of the Philippines. Gregorio Aglipay is the head bishop of the Philippine Independent Church, which was born in the heat of the revolution at the turn of the century. Aglipay was the Vicar-General of Aguinaldo's insurrectionary army and the leader of the guerilla forces which held out to the last against American troops. He has remained a sincere and honest democrat and independencia ever since. His church, which has about 4,000,000 members, mostly among the peasantry and the progressive middle classes, has fought every encroachment of the Catholic power, which is the bulwark of feudal property in the country. Aglipay has aligned himself staunchly with the masses. During the 1935 election campaign he brought his Republican Party back to life and joined the Coalition of the Oppressed Masses, together with the Socialist Party and the Toilers League, which ran him for President. The Aglipayans represent a powerful popular force, concentrating the widespread hatred of large sections of the people against the power of the Catholic hierarchy, against whom the people waged their revolution at the end of the last century.

The third important mass party in the Popular Alliance is the Sakdalista. Its great influence among the peasantry is explained in part by the Sakdal leaders' emphasis upon "absolute, complete and immediate independence" and, in part, by its anarchistic and insurrectionary tendencies. The party rests almost solely upon its independence plank, to the exclusion of all immediate internal demands. Like some peasant-nationalist parties in other colonial or semi-feudal countries, the Sakdals have a contempt for political activity, especially participation in elections and in parliament. It boycotted the plebiscite and the elections for the Commonwealth Government. This attitude toward political action is partly a heritage of the Spanish influence in the early stages of the Filipino labor movement and of the anarcho-syndicalist theories imported from Spain. The influence has been prolonged because of the peasant soil in which it took root. The Sakdalista, and their predecessors the Tangulans, were the leaders of the peasant "uprisings" of 1931 and 1935 which were drowned in blood by the author-

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ities. The influence of the party among the peasantry has grown rapidly, until today whole provinces in Luzon, the chief island in the Philippine group, are referred to as "Sakdal provinces".

Besides the tendency of the Sakdals to enter into premature actions of an insurrectionary type, the party has still another characteristic which made its inclusion in the Popular Alliance difficult. Its leader, Benigno Ramos, since 1935 in self-exile in Tokio, is undoubtedly a tool of Japan, which is casting longing eyes toward the south and has carried on economic penetration and political intrigue for a number of years in the Philippines. In his public utterances, Ramos defends Japanese action in Asia and calls upon Japan, as the "leader of the orientals", to help the Filipinos obtain their freedom from the United States. On this issue, however, there have already taken place some sharp divisions within the Sakdal ranks in the Philippines. The further development of Popular Alliance activities, based upon the united front in the provinces, has the tendency to overcome the pernicious Tokio influence and substitute for a vague general program a platform of immediate needs.

The adherence of the Sakdals to the Popular Alliance was not won without much patient discussion and negotiation, especially by the more consistent Left parties, which realized that the Sakdalista constituted a powerful anti-imperialist force of the peasantry without whom no "unity of the people" can be established. While the Sakdalista leaders were willing to form a united front with the other opposition parties, they were not willing to submit to a common program. C. Tiongco, president of the party, argued that no program was necessary since one could not tell now what action would be proper at some time in the future. When he was told that a program is needed to show the masses what the Alliance is fighting for, he said that was unnecessary since once the masses see all the opposition parties united it would be sufficient for them. He was finally convinced when he understood that unity of the oppositionists was impossible without a program to which they all agreed in advance to adhere. The contempt for program shown by the Sakdal leader is also deeply rooted in the political history of the country. Under the supervision of the American Governors-General, political parties have been formed around a leader rather than around a program. The best example is that of Quezon and Osmena, Vice-President of the Philippines, who have dominated the political machine of the country in the interest of American monopoly for the last two decades, and who have with extreme demagogy talked always about independence.

The two Marxist parties—the Socialist Party of the Philippines and the Toilers League — have contributed much to giving direction, program and form to the Popular Alliance. Under the leadership of Pedro Abad Santos, also a veteran of the revolution, the Socialist Party has adopted a more thorough Marxist position on many questions than its namesake in the United States and has learned much from the international scene. In view of the general political immaturity prevailing in the country it is indeed surprising that the party has been able to achieve as much clarity as it has on

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the most pressing issues facing the people. Its chief weakness is that its proletarian base is extremely narrow, and its general programmatic outlook has been rather circumscribed by a peasant orientation. But the party is alive to the need of immediate people's unity in the face of military dictatorship and war and has cooperated willingly with the Toilers League, especially in the People's Alliance.

The Communist Party, as is well known, is illegal; its founder and leader, Crisanto Evangelista, has just been released conditionally from exile, where he has already served two years after completing a year prison term. But Communist policy and program, as developed at the Seventh World Congress, have had their influence upon the course of events in the Philippines.

The publication last June of Dimitroff's famous speech in a Manila dialect labor paper had much to do with hastening the formation of the Popular Alliance. It was shortly after that the formation of a "Popular Front" was broached from two independent sources, the National Socialist Party and a middle class group without party affiliations but with some connections in the labor movement. The Toilers League, which in the 1935 elections participated in the Coalition of the Oppressed Masses, has been able to rally to the Popular Alliance a number of important unions and peasant organizations and has insisted upon the need for adherence to program and for the formation of the provincial and local Popular Alliance Committees.

In addition to the parties enumerated above, the Alliance has the allegiance of about 30 unions, peasant societies, and fraternal, youth and handicraft organizations. The most significant is the new tobacco union, the result of a merger of the reformist and Red unions in the industry. The merged union of 10,000 members is now the largest trade union in the country and has hastened the movement for trade union unity. The promising trade union movement had been splintered again and again by the attacks and intrigues of the Quezon clique, until today it is divided among a half dozen trade union centers, none of which is dominant. The success of the merger in the tobacco industry, however, has already led to the establishment of a Maritime Committee in Manila with the object of uniting the fifteen marine and dockworkers' unions of the city and to the acceleration of the efforts to create a single trade union federation for the country. The unity movement in the ranks of labor and the emergence of a progressive leadership are indispensable for the Popular Alliance.

The program of the Alliance flows from the situation which gave it birth. Despite Quezon's numerous promises in the election period not a single step has been taken by his administration to alleviate widespread starvation on the feudal countryside. He has employed the armed forces to suppress peasant demonstrations against wholesale evictions and rice marches upon the provincial capitals. Democratic rights have been drastically abrogated, power has been rapidly concentrated in the hands of the President, and the National Assembly has been shorn of all its prerogatives, while a new conscript army is being built as the Far

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Eastern sector of the United States Army and as the instrument of the Filipino dictator against the people. A dictatorship of a military-fascist type is emerging rapidly, supported by the American monopoly interests in the Islands, the new military power, the Filipino haciendenderos and the Catholic hierarchy. At the same time it has become clear that Quezon is working for even closer dependence upon the United States, in response to the needs of the sugar, gold mining and large planter interests. The situation is further complicated by the depredations of Japan in China and her activities in the Philippines. Japan looms as a new imperialist menace.

The parties of the Popular Alliance have been drawn together above all by the menace of the Quezon dictatorship and the crying demands of the masses for improvement in their conditions. The alignment of big capital, the Catholic hierarchy and the fascists in Spain has served as an object lesson and the heroic struggle of the Spanish Popular Front government against fascism as an inspiration to the Popular Alliance of the Philippines. The old Spanish regime in the Philippines left its mark sufficiently to render the general situation in the Islands similar in some important respects to the situation in the old Spain which the Popular Front is now fighting to transform. This brings the Spanish situation closer home than even the mounting national front in China which, however, is also having the effect of giving new confidence to the democratic forces in the Philippines.

In the forefront of the Popular Alliance program, therefore, are demands for limiting the power of the President, restoring the prerogatives of the National Assembly, full guarantees for the preservation and extension of democratic rights as provided in the Bill of Rights. With regard to the peasant situation, the Alliance demands that the church-owned lands be purchased for easy sale to the tenants, that peasant taxes be reduced and drastic action be taken against usury and other abuses of the tenant system. The right of the workers to organize and strike is upheld and the new compulsory arbitration bill is opposed, while the Alliance proposes a number of labor reforms with regard to health, safety, compensation, unemployment, etc. Reduction in taxes which affect the lower middle class and an independent foreign trade policy which will protect the Filipino consumer and encourage native industry are demanded. Finally, the Popular Alliance comes out strongly for an independence which will make impossible economic, political and military control by the United States and guarantee the country by neutralization and non-aggression pacts against attack.

The formation of the Popular Alliance has aroused nationwide enthusiasm, and provincial Popular Alliance committees are already forming in a number of important provinces, where the peasant organizations form the base of the united front. So great a threat did Quezon consider the Alliance, even in its earliest stages, that he hastened to have the National Assembly rubber-stamp his bill postponing the general elections of June, 1937, and extending the term of the assemblymen by one year. Using an alleged plot to burn Manila, he inaugurated a reign of terror against all Left organ-

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izations, including a constabulary "Red hunt" which lasted for two months. He rushed through the Assembly a sedition bill which makes each person a spy upon his neighbor, nationalized the police force and placed it under control of the army, created a G-man department to help hunt out "Reds", and perfected a strict national censorship of radio and press.

But the Popular Alliance was not to be downed so easily. It retaliated by a large mass meeting in Manila, the first of its kind in a number of years, which protested the postponement of the elections and the suppressive legislation. The Alliance has already registered one important victory in obtaining the release of 100 political prisoners for the new year, including nineteen Communist leaders serving in exile. There are at least 200 political prisoners still in jail, and those released only received conditional freedom. Nevertheless, this was an important concession which had the effect of arousing confidence and enthusiasm in the Alliance.

At the present time, interest centers in the negotiations being carried on by President Quezon in Washington in preparation for the forthcoming Filipino-American trade conference. Involved is no less than the whole status of the Philippines for the immediate future. Before Quezon left Manila, he indicated that he would favor the retention of the American naval bases in the Islands and the extension of the trade relations with the United States upon the present basis, and that he was opposed to the plan for the neutralization of the Philippines. This indicates that he will continue his past policy of making the Islands even more dependent upon the United States, although he might do this, as he has intimated, under some form of "independence".

When Quezon was already on his way to the United States a large Popular Alliance mass meeting in Manila, which was addressed by Juan Sumulong, General Aguinaldo and other Alliance leaders, adopted two significant resolutions. One called upon the United States "not to yield to the suggestion made in certain quarters" that the naval bases be permanently retained in the Islands, since this would make neutralization of the country impossible, and demanded that the American promise of untrammeled independence be granted. The other resolution expressed the opposition of the mass meeting to the continuation of a regime of restricted free trade, which would continue to make the Philippines dependent entirely upon the United States to the exclusion of all other countries and to the detriment of the Filipino consumer and native industry. It demanded instead that the so-called free trade regime be gradually but definitely terminated, and that a tariff policy be permitted which would guarantee some reasonable customs revenue to the Philippine government and allow it to enter into mutually advantageous commercial dealings with other nations.

These demands touch upon the crucial points at stake in Filipino-American relations. An independent trade and tariff policy is indispensable if the Philippines are to escape from the American monopoly. While American big business, especially the National City Bank sugar and dairy group, is only too anxious to place the full tax upon Filipino products entering the

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United States, it wishes at the same time to retain the trade monopoly in the Philippines. This again proves that free trade between an imperialist power and a colony is the most effective form of economic domination over the dependency.

The position taken by the Popular Alliance on this vital issue demonstrates that it is not going to be deceived by any so-called independence plan which at the same time strengthens the overlordship of American monopoly capital and the American-controlled interests in the Philippines. They want a Philippine Republic which will be free to exert an independent foreign policy, in the field of diplomacy and national defense as well as in trade. And nothing would contribute more in breaking the grip of the Filipino hacienderos and the American monopoly interests upon the Filipino people than depriving them of the "free trade" upon which their domination is built. This is the counterpart in international relations of the internal process of the struggle of the peasant masses, the workers and the democratic middle classes against the feudal-colonial structure of the country. Both aspects of the problem confront the Filipino people and the Popular Alliance is constructing that anti-imperialist People's Front which is facing and will solve the problem.

Happenings in the United States, with which the Philippines are in close cultural contact, exert a great influence upon events in the Islands. The militant struggle of the trade unions under the leadership of the C.I.O. is inspiring the Filipino labor movement. Even the limited campaign waged in the United States for the freedom of political prisoners in the Philippines has helped to obtain the partial victory of the Alliance. But more direct support of the Popular Alliance in the shape of solidarity for its demands is needed from labor, from progressives, Socialists and Communists. This kind of support for the demands of the people in the Philippines is welcome and is sincerely urged by all the parties of the Popular Alliance.

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# BOOK REVIEW

## LET MY PEOPLE LIVE

*LET ME LIVE, An Autobiography by Angelo Herndon. Random House, $2.50.*

THE autobiography of Angelo Herndon is more than the story of the life of one young man. It is the story of a whole people, the Negro people struggling for freedom against the tyranny and oppression of the white ruling class so vividly described by Comrade Herndon. This book under review gives the life experiences of the Negro people, and Comrade Herndon is a symbol of the struggle of his people for liberation and for the emancipation of all humanity.

In this sense, the theme of the book is "Let My People Live". It is a challenge to all those who seek to fetter and enslave the Negro people as part of their scheme to keep all America in chains. We Communists are proud that Angelo Herndon, in his life and in the struggles that he has led, symbolizes the role and program of the Communist Party for the Negro people. He symbolizes the unceasing struggle of the Party for Negro liberation, for unity of black and white workers; for a united Negro people as part of the American People's Front; against reaction and fascism. The Communist Party has produced the basic theory which will guide the Negro people out of serfdom and oppression. And in Angelo Herndon it has produced a Negro Communist who will guide his people out of bondage and who has challenged the ruling class with his ringing slogan of "Let My People Live".

In the past the Negro people have shown great courage in their struggles for freedom and have developed great traditions of militancy. Today the Negro people can reinforce this tradition of struggle and heroism with Communist theory which gives them a clear perspective for the realization of their immediate needs and for ultimate liberation from capitalist oppression and domination.

It is because Angelo Herndon was armed with this theoretical weapon that he began to see clearly that the Negro people do not have to "walk humbly and speak low". Through organization, under the leadership of the Communist Party, they can "break the shackles of economic bondage and social injustice that bind all Negroes in America". This is the significance of Comrade Herndon's book, not only for the Negro people, but for every class conscious worker. Angelo Herndon is the living embodiment of Karl Marx's principle that labor in a white skin cannot be free so long as labor in a black skin is enslaved.

*His ringing challenge to the oppressors,* not only of his own people, but of all who toil, is one which must be taken up if freedom is to be won:

> "I can't run away—there is too much at stake. If I run away and you run away and everybody else who loves freedom and truth runs away, who will be left to fight the good battle? I am not afraid. Death itself is not the greatest tragedy that can possibly happen to a man; rather, the greatest tragedy is to live placidly and safely and to keep silent in the face of injustice and oppression."

Angelo Herndon is proud of his people, my people, and this pride runs throughout the entire course of his life. It reminds one of the pride that Comrade Dimitroff had, at the infamous Leipzig trial, in the culture and traditions of his Bulgarian people. This pride is a reflection of the growing realization among the Negro people that the time has come to challenge and uproot the system of oppression which has kept them enslaved for three centuries in this great country of ours. And in the short period of his young



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life, Comrade Herndon has gone through the whole life experience of his people and emerged as an invincible fighter who can and will defeat oppression.

The book brings out many aspects of the oppression which the Negro people suffer and to whose ending Angelo Herndon has dedicated his very life. These are: economic oppression as shown in sharecropping and serf-tenancy in the South; great masses of Negro people in the Black Belt are denied land essential to them for economic progress; discrimination is practiced against Negroes in industry, in many trade unions, and in every walk of life; the Negro people are denied the right to live as human beings, they are jim-crowed and kept from ordinary social life; the Negro people are denied the right to vote, sit on juries, in short, to exercise the rights of citizenship; the Negro people's life is intellectually and culturally stultified.

This is a bird's-eye view of the oppression which every Negro undergoes and which Angelo Herndon pictures so brilliantly in his book. He brings out the basic point that unless the Negro farmers in the South can be organized to fight for land, the fundamental need of the Negro people will not be solved. This is the basis from which the Negro people can advance to win all their aspirations and realize all their dreams.

Facing economic oppression, social hindrances, cultural limitations, racial persecution, the Negro people must unite in a great struggle for the realization of their immediate needs and for their liberation. The struggle for equal rights for Negroes is part of the struggle between the democratic forces of this country and the forces of reaction. Victory for the Negro people will be a victory for democracy and the people of the United States, particularly for the downtrodden masses of the South.

The nullification of the 13th, 14th and 15th Amendments to the Constitution, which guarantee full citizenship rights to the Negro people, is part of the destruction of democratic rights which Wall Street wishes to impose upon black and white alike. There can be no freedom for the white worker, no high standard of living, so long as the Negro people are kept in a condition of slavery. Angelo Herndon's life shows the need for unity of black and white in the South. The great struggle to win his freedom, to save him from a living death on the chain-gang, shows that this unity can be achieved, that larger sections of the white population see that they must fight for their black brothers as well, if they are to beat back reaction and fascism.

At the present time, fascism threatens democracy in America and, above all, it threatens new barbarous attacks against the Negro people. Those people who want to fight fascism must realize that the freedom of the Negro people is one of the guarantees which must be established in the struggle to defend democracy and defeat reaction.

The spirit of Angelo Herndon is the spirit of that unity which will defeat fascism, win liberation for the Negro people and emancipation for all of humanity. Comrade Herndon's book must spur every Communist to increase his efforts to forge that unity. And, in this connection, let us all remember that it is our solemn duty to wrest Angelo Herndon from the reactionaries who seek his death. Angelo Herndon must be freed, and his freedom will be proof that white and black are marching together, an army of toilers which will defeat reaction and fascism and win greater security and freedom for everyone and ultimately lead to the complete emancipation of all toiling humanity.

JAMES W. FORD

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